# IN THE PARLIAMENT

HALDIN AT STRIVILING THE XXV. DAY OF Julij, the zeir of God, ane thousand, fyue hundreth, thire scoir and auchtene zeiris. Thir Lawis, statutis, and Constitutiounis ar deuysit, ordanit, and concludit be the richt Excellent, richt heich, and michtie Prince IAMES the Sext, be the grace of God KING of SCOTTIS, and thre Estatis of this Realme, as followis.

## ¶ The ratificatioun of the libertie of the trew Kirk of God and Religioun. CAP. I.

OVR Souerane Lord with auise of his thre Estaitis of this present Parliament, hes ratifyit and approuit, and be the tenour heirof ratifyis and approuis all and quhatsumeuer Actis of Parliament, statutis and Constitutiounis past and maid of befoir aggreabill to Goddis word, for mentenance of the libertie of the trew Kirk of GOD and Religioun now presentlie professit within this Realme, and puritie thairof. And decernis and declairis the samin to haue the effect in all poinctis, efter the forme and tenour thairof.

## ¶ That the Gleibis of the Ministeris and Reidaris salbe fre of Teindis. CAP. II.

ITEM Anent the Article proponit gif Ministeris and Reidaris aucht and suld pay teind for thair Gleibis and Kirklandis delignit to thame, conforme to the Act of Parliament maid thairanent, for answer thairto. ¶ OVR Souerane Lord with auise and consent of the thre estatis of this present Parliamẽt, findis & declairis, that the saidis Ministeris and Reidaris aucht and suld pay na Teind for thair saidis Gleibis and Kirklandis, extending to four Akeris of land delignit to thame conforme to the said Act. Bot decernis and declairis thame to be fre of thair saidis Teindis, and dischargis thame simpliciter thairof in all time cumming.

# The Actis of King

¶Anent the Visitatioun of the Hospitallis. CAP. III.

ITEM Becaus diuers Hospitallis hes bene erectit be our Souerane Lordis maist Nobill Progenitouris, & vtheris zelous and deuoit men within the countrie, quhilkis alwayis ar becūmin in decay be negligence of sic to quhome the cure thairof pertenis, and ar set in Few and Takkis, without all gude ordour, in respect that the victuallis and vtheris profeitis pertening to the saidis Hospitallis ar conuertit in small sowmes of money. Swa that the pure and Beddellis of the saidis Hospitallis hes small or nathing to leif vpon. ¶FOR remeid of the quhilk, our Souerane Lord, with auise and consent of the thre Estaitis of Parliament, ordanis the Chancellar for all the Hospitallis foūdit be our Souerane Lordis maist Nobill Progenitouris and the Bischoppis and Commissionaris of dioceis, quhair na Bischoppis ar prouidit, for all vtheris Hospitallis, to try the quantitie of thair Rent, the ordour of thair fundatioun, and the estait quhairin the Rent presentlie is. And to that effect that the Lordis of Counsall and Sessioun direct letteris, chargeing the hanaris of the foūdatiounis and erectiounis of the saidis Hospitallis, Fewaris and Takismen of the landis and vtheris pertening thairto, to produce the samin befoir the saidis Chancellar, Bischoppis, and Cōmissionaris, at sic dayis and places as thay sall appoint, to be sene and considderit be thame, to the effect that ordour may be tane vpō the reformatioun of the decay of the samin Hospitallis, vnder the pane of Rebellioun, and putting of thame to the horne, with executiō to thame and thay failze, letteris salbe direct to put thame to the horne, and that the saidis Chācellar and vtheris foirsaidis, report thair answer to the Kingis grace and Lordis of secreit counsall betuix and Pasche nixttocum.

¶The Ratificatioun of the Priuilege of Burrowis with additioun. CAP. IIII.

OVR Souerane Lord with auise of his thre Estaitis of this present Parliament, hes ratifeit and approuit, and be the tennour heirof ratifeis and approuis of new all Actis & Constitutiounis of Parliament maid be quhatsumeuer our Souerane Lordis Predecessouris of befoir in fauouris of the Burrowis & Burgessis of this Realme, Inhabitātis of all ỳ Burrowis of the samin, with all Priuileges, Fredomes, Immunitеis & Liberties, grantit and geuin to them, and euerie ane of them: and decernis & declairis the samin to haue full strenth, force and effect in all times heirefter,

heirefter, swa that ꝥ samin may be put to full & dew execucionn in all pointis, and to stād as ane perpetuall law to thame & thair successouris, with this additioun, Geuand thame fredome & priuilege to cōuene four times in the zeir for sic materis as concernis thair estait, And that in quhat Burgh it salbe thocht maist expediēt be the maist pairt of the saidis Burrowis. Proupding alwayis for eschewing of tumultis that thair be present at the saidis conuentiouuis for euerie Burgh in nūber ane, except the toun of Edinburgh to haif ane ma nor the vther Burrowis

¶ The Ratificatioun of the Act maid of befoir anent the Alienatioun of landis and dimissioun of Benefices be thame that ar, or sall happin to be conuict of the Murtheris of our Souerane Lordis Father, and of his twa Regentis. CAP. V.

OVR Souerane Lord with aduise of his thre Estaitis of this present Parliament hes ratefeit and approuit and be the tennour heirof ratifeis and approuis the Act of Parliament vnderwrittin, maid in the Parliament haldin at Striuiling vpon the xxviij. day of August, the zeir of God ane thousand, fiue hundreth thre scoir and elleuin zeiris; and all pointis, clausis and Artickis contenit thairin, efter the forme and tennour thairof, of the quhilk the tennour followis. ITEM It is decernit, and declairit be our Souerane Lord, with auise of my Lord Regentis grace and thre Estaitis that all Alienatiounis, Resignatiounis, dimissiounis, and vtheris dispositiounis quhatsumeuer maid or to be maid be ony persoun or personis conuict, or that sall happin in ony wayis heirefter to be cōuict or forfaltit for airt and pairt of the tressonabill Murtheris and slauchteris of vmquhile our Souerane Lordis derrest Father or Regentis, of quhatsumeuer landis, heritages, offices, Benefices, rowmes or possessiounis seu the times respectiue of the committing thairof, ar, and sall be null of thame selfis, and of nane auaill force nor effect in all times cumming, with all that followit or sall happin to follow thairupon, with this additioun, that our said Souerane Lord with aduise of his saidis thre Estaitis of Parliament, hes declairit and decernit, and presentlie declairis and decernis, that the foirsaid Act of Parliament is and was gude and valiabill fra the beginning, and that the samin suld haue had in times bygane, and sall haue in all times cumming full effect, and that all thing (gif ony be done in the contrair) is and salbe null, and of nane auill, force nor effect, notwithstanding ony alledgeit practique maid in the contrair.

# ¶The Actis of King

¶Anent dowbill Confirmatioun of Fewis of Kirklandis, and landis haldin immediatlie of our Souerane Lord. CAP. VI.

FORSAMEKILL As it is statute and ordanit be Act of Parliament maid in our Souerane Lordis derrest Motheris time, that na Infeftment of Kirklandis set sen the viij. day of Marche, the zeir of God ane thousand, fine hundreth fiftie viij. zeiris, suld be of onye force or effect, without the samin war dewlie & lauchfullie confirmit be our Souerane: And als forsamekill as it happinnis that dowbill Infeftmentis of Fewferme of ane portioun of land is geuin be ane Ecclesiasticall persoun to diuers persounis, and sum times be diuers Ecclesiasticall persounis, to wit, the Predecessour and successour to diuers persounis in Fewferme, and zit nouther of the saidis Infeftmentis can tak effect or be of auaill, without thay be dewlie and lauchfullie cõfirmit be our Souerane Lord. And allwa it is oft times sene that Cõfirmatioũis ar grantit of baith the saidis diuers Infeftmentis at diuers times be the sute of the parteis, like as it is foundin be sindrie ordinances of the Preuie Counsall that our Souerane Lord, and his hienes Compositouris, aucht not to deny his Confirmatioun vpon the resonabill expensis of the partie, suitand vpon thair awin perrell, and likewise diuers Alienatiounis of landis haldin Immediatlie of our Souerane Lord, being maid be ane persoun to diuers persounis, dowbill Cõfirmatiounis ar grantit be our Souerane Lord thairto, quhair as ane of the saidis Cunfirmatiounis aucht and tain onlie tak effect in all the clausis abone specifeit. And notwithstanding it is the occasioun of greit debait amangis the liegis to thair greit expensis, alweill in payment of thair Compositioums, as that the samin breidis the occasioun of greit plep. ¶FOR remeid thairof, it is concludit, statute and ordanit be our Souerane Lord, and thre Estaitis of Parliament, that quhasaeuer obtenis, or hes obtenit, the first Confirmatioun of onye Infeftment, outher of Kirk landis or vther landis haldin of our Souerane Lord, That that first Confirmatioun salbe of auaill, force & effect, and sall preuaill the secund. The said first Infeftment quhilk is confirmit being bailzeabill in the self & lauchfullie done. And in this case the last Confirmatioun sall not be respectit, albeit the samin confirme the first Infeftment, bot the first Confirmatioun of the last Infeftment sall preuaill the last Confirmatioun of the first Infeftment be way of exceptioun or reply without onye Summoundis or Proces of reductioun. It is alwayis proupdit, that gif the principall Infeftment first confirmit, or onye vther substantiall

thall caus vp the foirsaid Confirmatioun, be of nane auaill or vnlauchfullie maid, to the preiudice of ony vther partie hauand entres to the landis thairin contenit, and quha may be excludit be essoun of the first Confirmatioun, the said partie hauand entres salbe hard to accuse or reduce the said Infeftment first confirmit or vtherwayis to moue actioun agains the samin, as accordis of the Law, quhidder thay haue obtenit Confirmatioun of thair Infeftment or not. ¶ IT IS alswa statute and ordanit, that na dowbill Confirmatiounis of Infeftmentis of kirk landis or vtheris ȝaldin of our Souerane Lord, be grantit heirefter, and diſcharges the keiparis of the Signet, preuie and greit Seillis, that thay pas not dowbill Confirmatiounis, and gif the saidis dowbill Confirmatiounis pas in time cumming, our said Souerane Lord with auise of his saidis thre Estaitis, decernis and declaris the last cōfirmatioun to be of nane auaill. Prouiding as is abone specifeit.

¶ Ane Act anent the carying of Flesche furth of this Realme in schippis, vnder cullour of victualing. CAP. VII.

ITEM forsamekill as be taking and carying away of all kinde of Flesche in greit quātitie for victualing of schippis passand furth of this Realme at the haill Portis thairof, and speciallie at Leith and Coist side of Fyfe, It is ane greit occasioun of derth of all kinde of Flesche, Seing the haill Skipperis, Maisteris of Schippis and Marinaris in all partis of this Realme takis furth the samin in greit aboundance and quantitie, vnder cullour and pretense of the victualing of thair Schippis, mair nor may serue and sustene thame for thair viage. ¶ FOR remeid quhairof in time cumming, it is statute and ordanit be our Souerane Lord, and thre Estaitis of this present Parliament, that all kinde of Flesche for victualing of thair schippis in time cumming, be pakkit within the fre Burghis and Portis quhair the saidis Schippis lyis and ar to depart fra, and na vtherwayis. And that the Provest, Bailleis and Customeris of the said Burrowis visie and considder diligentlie how mekill Flesche may serue euerie Schip and hir equippaige for that present viage, and according to the number of the equippaige & compame, appoint to euerie Schip sa mony barrellis or Punschionis as for that present viage sall sufficientlie serue thame to the first Port thay ar frauchtit to, and thairefter mark the saidis barrellis or Punischionis appointit be thame to the furnessing of the saidis Schippis with the commoun mark of the said Burgh. Prouiding alwayis, that in case the saidis Skipperis, Maisteris or

Marinaris tak ony mair Flesche furth of the Realme nor may ſerue and ſuſtene thame for that viage, according to the number of thair equippaige, and as ſalbe appointit to them in maner foirſaid, and markit as ſaid is, that the ſaidis Prouſt, Bailleis and Cuſtomeris euerie ane of thame within thair awin offices and Juriſdictioun Reſpective, ſeirche, ſeik, tak and apprehend the ſuperplus of the ſaid Fleſche ſchippit in the ſaidis Schippis, by and attour the furniſing appointit to thame for that vepage as ſaid is, eſcheit and Inbring the ſamin to our Souerane Lordis vſe, and deliuer the ſamin to his Theſaurar, for the quhilk he ſalbe haldin to anſwer our Souerane Lord zeirlie in his Cherker.

¶ Ane Act maid anent the changeing of the grein Vacance of the Seſſioun. CAP. VIII.

FORSAMEKILL As it is ſtatute and ordanit be Act of Parliament of befoir, that the Lordis of Conſall and Seſſioun in all times efter the xv. day of december, the zeir of God ane thouſand fiue hundreth, thre ſcoir ſeuin zeiris, ſuld riſe vpon the tent day of July, and haue vacance vnto the xx. day of October Excluſiue, vpon the quhilk xx. day of October thay ſall ſit doun and ſit daylie except vpon the Sonday, quhill the xx. day of december Incluſiue, and than riſe and haue vacance quhill the vij. day of Januar Excluſiue, vpon the quhilk vij. day of Januar thay ſall ſit doun, and ſit daylie except the Sonday, but ony vacance at Faſterniſeuin, quhill Palmeſonday euin Incluſiue, and than riſe and haue vacance quhill the nixt Monoūday efter the Law Sonday, vpon the quhilk Monoundday thay ſall ſit doun, and ſall ſit daylie except vpon the Sonday without ony vacance at Witſonday, quhill the ſaid tent day of July, as at mair lenth is contenit in the ſaid Act of the dait foirſaid. And vnderſtanding that the Harueſt oft times continewis and Induris quhill Alhallowmes and thairefter in ſum Hieland and cauld groundis, quhairthrow the pepill and liegis of the Realme may not reſort and repair to the Seſſioun quhill the Harueſt be endit. ¶ THAIRFOIR Is is ſtatute and ordanit be our Souerane Lord, and thre Eſtaitis of this preſent Parliament, that the ſaidis Lordis of Counſall and Seſſioun ſall ſit doun and begin for adminiſtratioun of Juſtice to our Souerane Lordis liegis, in the accuſtomit vſe as thay did of befoir, vpō the xx. day of October nixttocum for this preſent zeir onlie, and ſall ſit quhill the xx. day of december Incluſiue, & than riſe and haue vacance quhill the vij. day of Januar Excluſiue, vpon

pon the quhilk vij. day of Januar thay ſall ſit doun, and ſit daylie exceipt the Sonday, quhill the Saterday befoir Faſterniſeuin, and than to riſe and haue vacance quhill the Thuriſday thairefter, and thairefter to ſit but ony vacance quhill Palmeſonday euin Incluſiue, and than to riſe and haue vacance quhill the nixt Monoundaye efter law Sonday Incluſiue, vpon the quhilk Monoundaye thay ſall ſit doun, and ſit daylie exceipt the Sondayis quhill Witſonday euin, and than to haue vacance quhill the Monoundaye efter the Trinitie Sonday Incluſiue. And than to ſit doũ and ſit daylie but ony vacance exceipt the Sonday, quhill the laſt day of Julij Incluſiue, and fra thine to haue vacance quhill the xij. day of Nouember, quhilk is the morne efter Martymes day, and ſit zeirlie thairefter in maner foirſaid (exceptand as ſaid is) and ſwa the kingis Maieſtie and thre Eſtaitis foirſaidis, declaris the greit vacance to be fra the ſaid laſt day of Julij, to the ſaid xij. day of Nouember Excluſiue, and than to proceid and miniſter Juſtice to all our Souerane Lordis liegis daylie in all time thairefter in maner abone ſpecifyit, notwithſtanding the ſaid Act of Parliament maid of befoir, beirand as ſaid is.

pon the quhilk viij. day of Januar thay sall sit doun, and sit day-
lie except the Sonday, quhill the Saterday befoir Fastrenevin,
and than to rise and haue vacance quhill the Tuisday thair-
efter, and thairefter to sit but ony vacance quhill Palmesonday
euin inclusiue, and than to rise and haue vacance quhill the nixt
Mononday efter Law Sonday inclusiue, vpon the quhilk Mo-
nunday thay sall sit doun, and sit daylie except the Sonday
quhill Witsonday euin, and than to haue vacance quhill the Mo-
nunday efter the Trinitie Sonday inclusiue. And than to sit doun
and sit daylie but ony vacance except the Sonday, quhill the last
day of Julij inclusiue, and fra thine to haue vacance quhill the xij.
day of Nouember, quhilk is the nixt efter Sanct Martines day, and
sit daylie thairefter in maner forsaid (except as said is) and
that the Lordis Sessioune and thair Clarkis, Seruandis, Ordi-
nar the tyme of vacance to be fra the said last day of Julij, to
the said xij. day of Nouember Exclusiue, and than to
proceid and minister Justice to all our Souerane
Lordis liegis dayle in all tyme thairefter in
maner aboue specifeit, notwithstanding
the said Act of Parliament maid of
befoir, beirand as said is.

# IN THE PARLIAMENT

HALDIN AND BEGVN AT EDINBVRGH THE xx. day of October, the zeir of God, ane thousand, fyue hundreth, thre scoir and nynetene zeiris. Thir Lawis, statutis, and Constitutiounis ar deuysit, ordanit, and concludit be the richt Excellent, richt heich, and michtie Prince IAMES the Sext, be the grace of God KING of SCOTTIS, and thre Estatis of this Realme, as followis.

## ¶ Anent the trew and haly Kirk, and of thame that ar declairit not to be of the samin. CAP. I.

OVR Souerane Lord with auise and consent of his thre Estaitis, and haill bodie of this present Parliament, ratifyis and approuis all and quhatsumeuer Actis and statutis maid of befoir be his hienes, with auise of his Regentis in his awin Regne, or his Predecessouris, anent the libertie and fredome of the trew kirk of GOD and Religioun, now presentlie professit within this Realme. And speciallie ratifyis and approuis the sext Act of his hienes Parliament haldin in the first zeir of his Maiesteis Regne, Intitulat anent the trew and halie kirk, and of thame that ar declairit not to be of the saumin. Ordaning the same to be heir Insert of new (becaus of sum defectioun and Informalitie of wordis in default of the Prentar) in this forme. ¶ OVR Souerane Lord, with auise of his thre Estaitis, and haill bodie of this present Parliament, hes declairit and declairis the Ministeris of the blissit Euangell of IESVS CHRIST quhome GOD of his mercie hes now raisit vp amangis vs, or heireftir sall rais, aggreing with thame that now leuis in doctrine and administratioun of the Sacramentis, and the pepill of the Realme that professis CHRIST as he is now offerit in his Euangell, and dois cõmunicate with the halie Sacramentis (as in the reformit kirkis of this Realme ar publicklie administrate) according to the confessioun of the Faith. To be the trew and halie kirk of IESVS CHRIST within this Realme, and decernis and declairis that

all and ſindrie quha outher gainſayis the word of the Euangell reſſaurit and appreuit. As the heidis of the Confeſſioun of the Fauth profeſſit in Parliament of befoir in the zeir of God 1560. zeiris, as alſwa ſpecifeit and Regiſtrat in the Actis of Parliamẽt maid in the firſt zeir of his hienes Reigne mair particularlie dois expres. Ratifeit alſwa and approuit in this preſent Parliament. Or that refuſis the participatioun of the halie Sacramentis as thay ar now miniſtrat, To be na memberis of the ſaid kirk within this Realme, and trew Religioun now preſentlie profeſſit. Ha lãg as thay keip thame ſelfis ſa diuydit from the ſocietie of Chriſtis bodie.

¶Anent the Iuriſdictioun of the Kirk. CAP. II.

OVR Souerane Lord with auiſe of his thre Eſtaitis of this preſent Parliament, hes declairit and grantit Iuriſdictioun to the kirk, quhilk conſiſtis and ſtandis in the preiching of the trew word of IESVS CHRIST, correctioun of maners; and adminiſtratioun of the halie Sacramentis, and declairis that thair is na vther face of kirk nor vther face of Religioun than is preſentlie be the fauour of GOD eſtabliſchit within this Realme, and that thair be na vther Iuriſdictioun eccleſiaſticall acknawlegeit within this Realme vther than that quhilk is and ſalbe within the ſamin Kirk, or that quhilk flowis thairfra concerning the premiſſis. ¶AND farther, our Souerane Lord with auiſe of his thre Eſtaitis, hes geuin and geuis full power and commiſſioun to the Nobill and michtie Lordis efter following; That is to ſay, James Erle of Murtoun Lord of Dalketith, Colme Erle of Argile Lord Campbell and Lorne Chancellair, Andro Erle of Rothes Lord Leſlie, Robert Erle of Buchane Lord Glendowachy Patrik Archibiſchop of Sanctandrois, Robert Commendatour of Dunfermeling, Mark Commendatour of Newbottill, Robert Commendatour of Deir, Alexander Commendatour of Culros, Johne Erſkin of Dun Superintendent of Angus, Maiſter Johne Spottiſwod Superintendent of Louthiane, Maiſter James Lowſoun, Johne Craig, Dauid Lindeſay Miniſteris, and Alexander Hay Clerk of Regiſter, to conuene in Edinburgh the xj. day of Aprill nixtocum. quhilk is the morne efter Law Sonday nixtocum. to ſeirche furth mair ſpeciallie and to conſidder quhat vther ſpeciall pointis or clauſis ſuld appertene to the Iuriſdictioun, priuilege and authoritie of the ſaid kirk: and to report thair declaratioun thairanent to our Souerane Lord and thre Eſtaitis of this Parliament, ſa that thay may tak ordour

thairintill

thairintill, and authoreis the same be Act of Parliament, as salbe found aggreabill with the word of GOD.

¶Discharge of Mercattis and laubouring on Sondayis, or playing and drinking in tyme of Sermon. CAP. III.

ITEM Forsamekill as it is statute and ordanit be a gude and godlie Act maid in the dayis of King James the Fourt our Souerane Lordis Grandschir of worthie memorie, that thair be na Mercattis nor Fairis haldin vpon halie dayis, nor zit within Kirkis or Kirkzairdis vpon halidayis or vther dayis, vnder the pane of escheitting of the gudis. Quhilk Act our Souerane Lord and his thre Estaitis ratifyis and appreuis and ordanis the same to haue effect and executioun in tyme cumming. And seing that the Sabboth day is now commounlie violate and brokin, alsweill within Burgh as to Landwart, to the greit dishonour of GOD, be halding & keiping of the saidis Mercattis & Fairis on Sondays vsing of handie laubour & worcking thairon, as on the remanent dayis of the ouilk & be gāming and playing, passing to Tauernis and Ailhouslis, and wilfull remaning from thair Paroche kirk in time of Sermon or prayeris on the Sonday. ¶THAIRFOIR his Maiestie, and his thre Estaitis in this present Parliamēt statutis and ordanis, that thair be na Mercattis nor Fairis haldin vpon the Sonday, nor zit within Kirkis or Kirkzairdis that day or ony vther day, vnder the pane of escheitting of the gudis to the vse of the pure within the Paroche. And licluke, that na handie laubouring nor worcking be vsit on the Sonday, nor na gamming and playing, passing to Tauernis and Ailhouslis, or selling of meit or drink, or wilfull remaning fra thair Paroche kirk in time of Sermon or prayeris on the Sōday, be vsit vnder the panis following, That is to say, of euerie persoun for the handie laubouring and worcking, commounlie vsit be the purest sort, ten schilling, and for gamming, playing, passing to Touernis and Ailhouslis, selling of meit and drink and wilfull remaning from thair Paroche kirk in time of Sermon or prayeris on the Sonday, of euerie persoun twentie schillingis, to be applyit to the help and releif of the pure of the Parochin. And in cace of the refuse or Inhabilitie of ony persoū offending in the premissis to pay the saidis panis Respectiue presentlie and Indilayitlie vpon thair apprehensioun or conuictioun, efter lauchfull tryall, he or scho salbe put and haldin in the stokkis or sic vther Ingine diuisit for publict punischment, be the space of xxiiij. houris. And forexecutioun heirof, the kingis

Maiesteis commissioun of Justiciarie salbe grantit to sum persoū in euerie Parochin, best affectit and maist abill to performe the same at the requeist of the Minister.

¶ Anent the zouth and vtheris bezond sey suspectit to haue declynit fra the trew Religioun. CAP. IIII.

ITEM Becaus sindrie of the zouth of this Realme passing to the partis bezond sey herunmis corruptit in Religioun, quhairof grit Inconuenient may follow. ¶ THAIRFOIR it is statute and ordanit that all persounis the sonnis of Nobill men, gentilmen, or vtheris pretending the caus of thair departure to be for attening to farther knawledge in letteris, sall befoir thair said departure sute and obtene the kingis Maiesteis licence to that effect, contening ane prouisioun, that thay sall remane constant in the profession of the trew Religioū publictlie preicheit and be Law establischit within this Realme, and do nor procure nathing to the preiudice thairof, or of his Hienes and his Authoritie, vnder the pane of barratrie. As alswa the saidis persoūis within the space of xx. dayis efter thair returning within this Realme, sall pas to the Bischop, Superintendent, or Commissionar of the kirkis within the boundis quhair thay arrine or happinnis to mak residence, and thair offer to mak and giue the Confessioun of thair Faith according to the trew & Christiane Religioū preichit, and be Law establischit within this Realme or thā within fourtie dayis thairefter denoid and remoue thame selfis furth of this Realme, quhairin gif thay failze, that thay be admonischit and persewit as the aduersaris of the said trew Religioun. And for sic persounis as ar alreddy furth of this Realme, and hes declynit fra the trew Religioun, that the ordour appointit in the Lawis alreddie maid be visit and execute aganis thame, according to the direction and tennour thairof in all pointis.

¶ That houshaldaris haue Bybillis and Psalme buikis. CAP. VI.

ITEM It is statute and ordanit be our Souerane Lord, and his thrie Estaitis in this present Parliament, That all gentilmen, houshaldaris and vtheris worth thrie hundreth markis of zeirlie rent or abone, and all substantious zemen or Burgessis likewise houshaldaris estemit worth fiue hundreth pundis in landis or gudis be haldin to haue ane Bybill and Psalme buik in vulgar language in thair houses, for the better

Instruc-

Inſtructioun of thame ſelfis and thair Famileis in the knawlege of GOD, within zeir and day efter the dait heirof, Ilk perſoun vnder the pane of ten pundis. And that the Prouoſt and Bailleis of Ilk Burgh and ſic perſoun in euerie Parochin to Landwart as ſall haue the Kingis Commiſſioun, ſeirche, Inquire and try quha failzeis heirin, and thay being conuict thairof, to vptak the ſaid pane of euerie ane that failzeis, the thrid part to thame ſelfis for thair panis, and the twa pairt to the help and releif of the pure of the Parochin.

¶ For releif of the laboureris of the ground troubillit, for want of tymous Teinding of thair Cornis. CAP. VI.

THE Kingis Maieſtie and thre Eſtaitis of this preſent Parliament, vnderſtanding the great ſkaith & Inconuenient ſuſtenit be the laboureris of the ground within this Realme, throw the default of the Teinding of thair Cornis in dew time, be the miſtice of ſic as hes tytillis or Takkis of thair ſaidis Teindis oft times cauſing the ſaidis laboureris of the ground for default of Teinding of thair ſaidis Cornis in dew time, to tyne thair Cornis or fall in danger of ſpuilze. ¶ FOR remeid quhairof, our ſaid Souerane Lord with auiſe of his ſaidis thre Eſtaitis, ſtatuis and ordanis, That all perſonnis hauand titill or Takkis to ony Teind ſcheuis, and being in vſe of Teinding, or Intending ony wiſe to leid the ſame, ſall pas or ſend and caus teind the ſaidis Cornis, ay as the ſamin is reddie, within aucht dayis efter the ſcheiring thairof, quhilk gif thay delay to do, that at the end of the requiſitioun vnderwrittin, it ſalbe lauchfull to the awner of ye ſaidis teindis to tak twa honeſt Nichtbouris ſworne in preſence of famous witneſſis & to teind his ſaidis Cornis, leid the ſtok thairfra, and place the Teind ſtakkit vpon the grounds, quhilk the awner of the ſaidis Cornis ſalbe haldin to keip vndeſtroyit and eittin be beiſtis, quhill the firſt day of Nouember thairefter. Prouiding that he require Teinding of the partie hauand the titill, Tak or richt to the ſaidis Teind ſcheuis oppinlie in the Parochin kirk vpon thre ſeueral Sondayis befoir none efter the ſcheiring of the ſaidis cornis. Quhilk order being dewlie & faithfullie obſerwit be ye awnar of the ſaidis cornis, It ſalbe ſufficient warrand & defence for him agains all actioun of ſpuilze that may be perſewit agains him for Intromiſſioun with his ſaidis Cornis, he Teindand thankfullie with the perſoun hauand titill or Tak of his ſaidis Teindis, and making na Impediment to the Teinding & leding thairof in hie wayis, or vpon ony ground that is ſchorne.

# The Actis of King

¶ For punischment of strang and Idill Beggaris, and releif of the pure and Impotent. CAP. VII.

EORSAMEKILL As thair is sindrie louabill Actis of Parliament maid be our Souerane Lord is maist Nobill Progenitouris for the stanehing of maisterfull and Idill beggarris, away putting of sornaris, and prouisioun for the pure. Beiring, that nane salbe thoillit to beg nouther to Burgh nor to land betuix xiiij. and lxx. zeiris. That sic as makis thame selfis Fuillis & ar Bardis, or vtheris siclike rinnaris about being apprehendit, salbe put in the Kingis waird or Irnis, sa lang as thay haue onp gudis of thair awin to leif on. And fra thay haue not quhairupon to leif of thair awin, that thair eiris be naillit to the Trone or to ane vther tre, and thair eiris cuttit of and baneist the countrie, and gif thairefter thay be found agane, that thay be hangit. ¶ ITEM That nane be thoillit to beg in ane Parochin that ar borne in ane vther. That the heidismen of Ilk Parochin mak takinnis and giue to the beggaris thairof, that thay may be sustenit within the boundis of that Parochin. And that nane vther be seruit with Almous within that Parochin bot thay that beiris that takin allanerlie, as in the Actis of Parliament maid thairanent at mair lenth is contenit. Quhilkis in time bygane hes not bene put to dew execution throw the Iniquitie and troubillis of the time bypast, and be reason that thair was not heirtofore ane ordour of punischment sa speciallie deuisit as neid requirit, bot the saidis beggaris besides the vtheris Inconuenientis quhilks thay daylie produce in the commoun welth, procuris the wraith and displesure of GOD for the wickit and vngodlie forme of leuing vsit amangis thame, without Mariage or Baptising of a greit number of thair barnis. ¶ THAIRFOIR now for auoiding of the Inconuenientis and eschewing of the confusioun of sindrie Lawis and Actis concerning thair punischment standing in effect, And that sum certane execution and gude ordour may follow thairanent, to the greit plesure of Almichtie GOD, and commoun weill of the Realme. ¶ IT IS thocht expedient, statute and ordanit, aswell for the vtter suppressing of the saidis strang and Idill beggaris, sa contageous enemeis to the cõmoun weill. As for the charitabill releuing of aigit and Impotent pure pepill, that the ordour and forme following be obseruit; That is to say, That all persounis being abone the aige of xiiij. and within the aige of lxx. zeiris, that heirefter ar declairit and set furth be this Act and ordour to be vagaboundis, strang and Idill beggaris,

garis, quhilkis ſall happin at onp time heireſter efter the firſt day of Januar nixttocum, to be takin wandering and miſordering thame ſelfis contrarie to the effect and meaning of thir preſentis, ſalbe apprehendit and vpon thair apprehenſioun be brocht befoir the Proueſt and Bailleis within the Burgh, and in euerie Parochin to Landwart befoir him that ſalbe conſtitute Juſtice be the kingis Commiſſioun, or be the Lordis of Regalitie within the ſamin to this effect. And be thame to be committit in waird in the commoun preſoun, ſtokkis or Irnis within thair Juriſdictioun, thair to be keipit vnlettin to libertie or vpon band or ſouertie quhill thay be put to the knawledge of ane Aſſyſe, quhilk ſalbe done within ſex dayis thairefter. And gif thay happin to be conuictit to be adiudgeit to be ſcurgit and brunt throw the eir with ane het Irne. The proces quhairof ſalbe Regiſtrate in the Court buikis. Except ſum honeſt and reſponſall man will of his charitie be contentit then preſentlie to Act him ſelf befoir the Judge to tak and keip the offendour in his ſeruice for ane haill zeir nixt following, vnder the pane of twentie pund to the vſe of the pure of the touh or Parochin. And to bring the offendour to the heid Court of the Juriſdictioun at the zeiris end, or then gude preif of his deith, the Clerk taking for the ſaid Act xij. penneis onlie. And gif the offendour depart and leif the ſeruice within the zeir aganis his will that reſſauis him in ſeruice, Then being apprehendit he ſalbe of new preſentit to the Judge, and be his command ſcurgit and brunt throw the eir as is befoir ſaid. Quhilk puniſchement being anis reſſauit he ſall not ſuffer agane the like for the ſpace of thre ſcoir dayis thairefter, bot gif at the end of the ſaidis thre ſcoir dayis, he be foundin to be fallin agane in his Idill and vagabound traid of life, Then being apprehendit of new he ſall be adiudgeit and ſuffer the panis of deith as ane theif. And that it may be knawin quhat maner of perſonnis ar meiit to be Idill and ſtrang beggaris and vagabondis and worthie of the puniſchement befoir ſpecifeit. It is declairit that all Idill perſonnis ganging about in onp countrie of this Realme vſing ſubtill craftie and vnlauchfull playis, as Juglarie, Faſt and lous & ſic vtheris. The Idill pepill calling thame ſelfis Egyptianis, or onp vther that fenzeis thame to haue knawledge of Charming, Prophecie or vtheris abuſit ſciences, quhairby thay perſuaid the pepill that thay can tell thair weirdis, deithis and Fortounis & ſic vther fantaſticall Imaginatioums; and all perſonnis being haill and ſtark in bodie & abill to wirk, alledging thame to haue bene hirreit or brunt in ſum far part of the Realme, or alledgeing thame to be baneiſt for ſlauchter, and vtheris wickit deidis, and

vtheris nouther hauand land noꝛ Maisteris, noꝛ vsing ony lauch-
full Merchandice, craft oꝛ occupatioun quhairby thay may win
thair leuingis, and can giue na reckning how thay lauchfullie
get thair leuing, and all Menstrallis. Sangistaris and Taill
tellaris, not auowit in speciall seruice be sum of the Lozdis of Par-
liament oꝛ greit Barrounis, oꝛ be the heid Burrowis and Cieteis
foꝛ thair commoun Menstrallis, All commoun labouraris be-
ing persounis abill in bodie leuing Idillie and fleing labour, All
counterfaittaris of licences to beg, oꝛ vsing of the same knawing
thame to be counterfaittit, All vagabound scollaris of the vniuer-
siteis of Sanctandꝛois, Glasgow and Abirdene not licencit be the
Rectour and Deane of Facultie of the vniuersitie to ask Almous,
all Schipmen and Marinaris aliedgeing thame selfis to be schip
brokin, without thay haue sufficient Testimoniallis, Salbe ta-
kin, adiudgeit, estemit and puneist as strang beggaris and baga-
boundis. And gif ony persoun oꝛ persoñis efter the said first of Ja-
nuar nixttocum gewis money, harbꝛie oꝛ ludgeing, settis housis,
oꝛ schawis ony vther releif to ony vagabound oꝛ strang beggar
markit oꝛ not markit, wanting ane licence of the Pꝛouest and
Bailleis within Burgh, oꝛ of the Judge within that Parochin,
The same being dewlie pꝛouin at the Court, thay sall pay sic vn-
law to the vse of the pure of the Parochin as be the Judge at the
Court salbe modifeit, swa the same exceid not fiue pund. And al-
swa gif ony persoun oꝛ persounis disturbis oꝛ letris the execution
of this Act ony maner of wayis, oꝛ makis Impediment aganis
the Judges & ordinarie Officiaris oꝛ vtheris persounis trauelling
foꝛ the dew execution heirof, Thay sall Incur ỳ same pane quhilk
the vagabound suld haue Incurrit, in case he had bene convict.
Pꝛouiding alwayis that schipmen & Suldartis landing in this
Realme haue licence of the Pꝛouest oꝛ Baillie of the toun oꝛ Judge
in the Parochin quhair thay war schipbꝛokin oꝛ first enterit in
the Realme, Sall and may pas accoꝛding to the effect of thair li-
cences to the rowmes quhair thay Incend to remane. And that ỳ
licences onlie serue in the Jurisdictiõ of the geuar, sa ỳ gif the per-
soun trauelling hame haue farther Joꝛnay he pꝛocure the like li-
cences of the Judge of the nixt Parochin oꝛ toun throw quhilk he
mon pas, and sa fra Parochin to Parochin quhill he be at his
resting place. And that thair be certane persounis ane oꝛ ma no-
minat in euerie Burgh and Parochin be the Officiaris & Judge
thairof, foꝛ seirching, restaining and connoping of the vagaboũdis
to the cõmoun pꝛesoun, Irnis oꝛ stokkis vpon the cõmoun chargis
of the Parochin. Quhilkis persounis sa erectit salbe haldin to do
thair dewtie diligentlie, as the saidis Juges wil answer thairupõ.

And

And ſen charitie wald that the pure aigit and Impotent perſonis ſuld be als neceſſarlie prouidit for, as the vagaboundis and ſtrang beggaris repreſſit, and that the aigit, Impotent and pure pepill ſuld haue ludgeing and abyding places throughout the Realme to ſettill thame ſelfis intill. QUHAIRFOIR thocht expedient, ſtatute and ordanit, That the Lord Chancellar according to the directioun of ſindrie louabill Actis of Parliament heirtofoir maid, ſall call for the erectiounis of all Hoſpitallis to be produceit befoir him, and Inquire and conſidder the preſent eſtait thairof, reducing thame ſa far as is poſſibill to the firſt Inſtitutiōun, As may beſt ſerue for the help and releif of the ſaidis aigit, Impotent and pure pepill. And als that the Prouoſt and Bailleis of Ilk Burgh and toun, and the Juſtice conſtitute be the kingis commiſſioun in euerie Parochin to landwart, ſall betuix and the ſaid firſt day of Januar nixtocum tak Inquiſitioun of all aigit pure Impotent and decayit perſonis borne within that Parochin, or quhilkis war dwelling and had thair maiſt cōmoun reſort in the ſaid Parochin the laſt ſeuin zeiris bypaſt, quhilkis of neceſſitie mon leif be Almous. And vpon the ſaid Inquiſitiōun ſall mak ane Regiſter buik contening thair Names and ſurnames, to remane with the Prouoſt and Bailleis within Burgh, and with the Juſtice in euerie Parochin to Landwart. And to the effect that the number of the pure pepil of euerie Parochin may be knawin, ſtatutis and ordanis that all pure pepill within fourtie dayis efter the Proclamatioun of this preſent Act at the mercat Croce of Edinburgh, repair to the Parochin quhair thay war borne or had thair maiſt commoun reſort or reſidence the laſt ſeuin zeiris bypaſt, and thair ſettill thame ſelfis vnder the pane to be puneiſt as vagaboundis and contrauenaris of this preſent Proclamatioun. And the ſaid ſpace of fourtie dayis being bypaſt, That than the Prouoſt and Bailleis within Burrowis, and the Judge conſtitute be the kingis commiſſioun in Ilk Parochin to Landwart, mak a Catholog of the Names of the ſaidis pure pepill, Inquire the men and wemen quhair thay war borne, quhidder thay ar marpit or vnmarpit, quhen and be quhome thay war marpit, and quhat barnis thay haue, and quhair thair barnis war Baptiſit, and to quhat forme and traid of life thay addres thame ſelfis and thair ſaidis barnis, gif thay be diſeiſit or haill and abill in bodie, & quhat thay get cōmounlie on the day be thair begging. And ſic as neceſſarlie mon be ſuſtenit be Almous, to ſe quhat thay may be maid content of thair awin conſentis to accept daylie to leif on vnbeggit, and to prouide quhair thair remaining ſalbe, be thame ſelfis or in hous with vtheris, with anſe of

the Parochinnaris quhair the saidis pure pepill may be best ludgeit and abyde. And thairupon accoirding to the number to cõsidder quhat thair neidful sustentatioun will extend to euerie oulk, and then be the gude discretiounis of the saidis Proueist, Bailleis, and Judges in the Parochinnis to Landwart, and sic as thay sall call to thame to that effect, to tart and stent the haill Inhabitantis within the Parochin, accoirding to the estimatioun of thair substance without exceptioun of persounis, to sic oulklie charge and contributioun as salbe thocht expedient and sufficient to sustene the saidis pure pepill. And the Names of the Inhabitantis stentit togidder with thair taxatioun to be likewise Registrate. And that at thair discretioũ thay appoint ouirsearis & collectouris in euerie Burgh, toun and Parochie for the haill zeir, for collecting and ressaving of the said oulklie portioun, quhilkis sall ressaue the same & deliuer sa mekill thairof to the saidis pure pepil, and in sic maner as the saidis Proueist & Bailleis within Burgh and Judges in the Parochin to Landwart Respective, sall ordane and command. And that ouirsearis of the saidis pure pepill be appointit be thair discretiounis to continew also for a zeir. And at the end of the zeir that the taxatioun and stent Roll be alwayis maid of new for the alteratioun that may be throw deith or be Increis or diminitioun of mennis gudis and substance. And that the Proueist and Bailleis in Burrowis or tounis, and the saidis Judges in the Parochinnis to Landwart sall giue ane Testimoniall to sic pure folk as thay find not borne in thair awin Parochin, or making residence thairin the last seuin zeiris, sending or directing thame to the nirt Parochin, and sa from Parochin to Parochin, quhill thay be at the place quhair thay war borne, or had thair maist commoun resort and residence during the last seuin zeiris preceding. Thair to be put in certane abyding places and sustenit vpon the commoun Almous and oulklie contributioun as is befoir ordanit, except Leprous pepill and bedfast pepill, quhilkis may not be transportit. Prouding that it be lesull to the pure pepill sa directit to thair awin abyding places with Testimoniallis To ask Almous in thair passage, sa as thay pas the direct way not resting twa nichtis togidder in ony ane place, without occasioun of seiknes or stormie Impeid thame. And gif ony of the pure pepill refuse to pas and abyde in the places appointit, or efter the appointment be found begging, then to be puneist be scurging; Imprisonment, and birning throw the eir as vagaboundis and strang beggaris, and for the secund fault to be puneist as theuis, as is befoir appointit. And gif the persounis chesin Collectouris refuse the office, or hauing acceptit the

same

same beis found negligent thairin, or refusis to mak thair compts euerie half zeir anis at the leist to the Provest and Bailleis in Burrowis, & to the saidis Judges in Landwart, and to deliuer the superplus of that quhilk restis in thair handis at the end of the zeir or half zeir, to sic as salbe chosin Collectouris of new. Then Ilk ane of the Collectouris sa offending sal incur the pane of twentie pund, to the vse of the pure of that Parochin and Imprisonment of thair persounis during the Kingis will. For quhilkis panis the saidis Provest, Bailleis & Judges sall pound and distrenze. And gif ony persouns being abill to further this charitabill wark will obstinatlie refuse to contribute to the releif of the pure, or discourage vtheris from sa charitabill ane deid, the obstinate or wilfull persoun being callit befoir the saidis Provest and Bailleis within Burgh, or Judges in the Parochin to landwart, and conuict thairof be ane Assyis or sufficient testimonie of twa honest and famous witnessis his Nichtbouris vpon the supplicatioun of the saidis Provest, Bailleis and Judges to the Kingis Maiestie and his preuie Counsall, the obstinate and wilfull persoun or persouns salbe commandit to waird in sic pairt as his hienes and his Counsall sall appoint, and thair remane quhill he be content with the ordour of his said Parochē, & performe the same in deid. And gif the aigit and Impotent persounis not being sa diseisit, lamit or Impotent, bot that thay may wirk in sum maner of wark, salbe be the ouirsearis in ony Burgh or Parochin appointit to wirk and zit refusis the same, Then first the refusar to be scurgit and put in the stokkis, and for the secund fault to be puneist as vagaboundis as said is. And gif ony beggaris barne being abone the aige of fiue zeris, and within fourtene male or female salbe tikit of be ony subiect of the Realme of honest estait. The said persoñ sall haue the barne be ordour and direction of the saidis Provest and Bailleis within Burgh, or Judge in euerie Parochin to Landwart gif he be a man Childe to the aige of xiiij. zeiris. And gif scho be a womā childe to the aigē of xviij. zeiris, and gif thay depart or be takin or intisit frō thair Maister or Maistres seruice, The Maister or Maistres to haue the like actioun and remedie as for thair feit seruand or prentеis, aswell aganis the barne as aganis the takar, and intisar thairof. And quhair collecting of money may not be had, and that it is ouir greit ane burding to the Collectouris to gadder victuallis, meit and drink, or vtheris thingis for releif of the pure in sum Parochinnis. That the Provest and Bailleis in Burrowis, and the saidis Judges in the parochinnis to Landwart be auise of certane of the maist honest parochinnaris giue

licence vnder thair handwrittis to sic and sa mony of the saidis pure pepill, or sic vtheris for thame as thay sall think gude to ask and gadder the charitabill Almous of the parochinnaris at thair awin houſis. Sa as alwayis it be ſpedilie appointit and aggreit how the pure of that Parochin ſalbe ſuſtenit within the ſame, and not to be chargeabill to vtheris, nor troubilſum to ſtrangeris. And ſeing be reſſoun of this preſent Act and ordour the commoun preſounis, Irnis and ſtokkis of euerie heid Burgh of the Schyre and vtheris tounis ar like to be fillit with ane greitar number of preſonaris nor of befoir hes bene accuſtomat, In ſa far as ỳ saidis vagaboundis and vtheris offendouris ar to be committit to the commoun preſoun of the Schire or toun quhair thay war takin, The ſame preſounis being in ſic tounis quhair thair is greit number of pure pepill, mair nor thay ar weill abill to ſuſtene and releif, And ſwa the Preſonaris ar like to periſche in default of ſuſtenãce. Thairfoir the expenſis of the preſonar ſalbe papit be a pairt of the commoun diſtributiour and oulklie Almous of the Parochin quhair he or ſcho was apprehendit, allowand to Ilk perſoun daylie ane pund of ait breid and watter to drink. For payment quhairof, the preſentar of him to preſoun ſall give ſouertie or mak preſent payment. And that the Schireffis, Stewartis, & Bailleis of Regaliteis and thair Bailleis ouir all the Realme & thair deputis ſe this preſent Act put to dew execution in all pointis within thair Juriſdictounis Reſpectiue, as thay will anſwer to GOD and our Souerane Lord thairupon. And quhat euer dout or ambiguitie ſall happin to ariſe vpon this preſent Act or ony pairt thairof. OVR Souerane Lord, with auiſe of his ſaidis thre Eſtaitis committis the Interpretatioun explanatioun, ſupplement and full executioun thairof to his Maieſtie, with auiſe of his preuie Counſall.

¶ For puniſchement of perſounis that contempnandlie remanis Rebellis, and at the Kingis horne. CAP. VIII.

FORSAMEKILL As the contempt of our Souerane Lordis Authoritie, and of the Lawis and ordinarie Juſtice of the Realme, is the ground and fountane fra quhilk the maiſt pairt of all confuſioun and diſordour proceidis, and amangis vtheris euillis the diſſobedience of the proces of horning is ſa greit and cõmoun, that the perſounis denunceit Rebellis takis na feir thairof, and the parteis hurt and Intereſt that hes obtenit decreitis and letteris with thair Infinite expenſis and coſt, can get na execu-

tioun

tioun nocredres. And howbeit be ane Act and ordinance maid be the Lordis of Sessioun, It was prouidit, that all Officiaris Immediatlie efter thair denunciatioun of ony personis to the horne, suld pas to the Schirek of the Schire quhair thay dwelt & Intimate to him the same, requiring him in our Souerane Lordis Name and authoritie, to mak ane Just Inuenture of all the saidis personis gudis, to the effect that the samin micht be Inbrocht to his hienes vse for thair cõtemptioun, And that the saidis Officiaris suld deliuer to the said Schirek ane autentick copie of the saidis letteris, with the execution of the same subscriuit with thair hand, and within viij. dayis thairefter suld pas to the Thesaurar or his Clerkis and deliuer to thame ane vther copie of the saidis letteris, with the execution of the same in like maner subscriuit with the saidis Officiaris handis to the effect foirsaid, cõforme to the said Act and ordinance. Neuertheles the samin hes bene neglectit of the maist pairt, and na wise followit be the saidis Officiaris, Swa that the Impunitie of sic haynous attemptatis and oppin Rebellioun, hes brocht our Souerane Lordis Authoritie in contempt, and maid the multitude of Rebellis sa greit, that it salbe difficill to knaw thame fra the Kingis obedient subiectis, without sum haistie remeid be prouidit. Notwithstanding that be the foirsaid ordinance of the Lordis of Sessioun & vtheris louabill Lawis and Actis of Parliament establischit be his hienes, and his maist Nobill Progenitouris, gude ordour be takin for auoiding of the said confusioun, zit the negligence of the dew execution thairof hes bred this greit Inconuenient. Quhilk now our Souerane Lord for the furtherance of his obedience and vniuersall weill of his subiectis presentlie Intendis as GOD sall grant opportunitie to remeid. ¶ THAIRFOIR his hienes with auise of his thre Estaitis in this present Parliament statutis and ordanis, that all letteris of horning execute and Indorsat or that sall happin to be execute and Indorsat befoir the publicatioun of this present Act, sall within the space of xv. dayis efter the publicatioun thairof, and in all time thairefter within the space of xv. dayis efter the denuntiatioun, be brocht to the Schirk of Clerk of euerie Schirefdoome, quha sall Registrate the same in the Schirefis buikis, and deliuer the principall letteris agane execute and Indorsat and notit on the bak, Registrate sic a day & subscriuit with his hand within xviij. houris efter the reseait thairof, and sall resaue fra the partie awnar and presentar of the saidis letteris for his labouris onlie sex schillingis aucht penneis. The quhilkis letteris and executiounis thairof swa Registrate and subscriuit on the bak be the said Schirek Clerk, or

the copie thairof autenticklie extractit furth of the said Schireffis buikis, subscriuit be the said Schirēf Clerk, salbe estemit as autentick and sall haue effect and force in quhatsumeuer Judgemēt thay happin to be produceit, ay and quhill the partie swa denunceit to the horne obtene him self ordourlie relaxit thairfra. Quhilk relaxatioun sall alswa be maid publictlie at the mercat Croce of the Schire quhair he dwellis, and quhair the denuntiatioun of horning was maid. And that the said relaxatioun and execution thairof salbe likewise Registrate in the said Schireffis buikis within xv. dayis efter the publicatioū thairof at the mercat Croce, and be alswa Registrate and subscriuit on the bak in maner foirsaid, vtherwise the saidis letteris of horning and relaxatiounis sal na wise be haldin lauchfullie and ordourlie executē, bot the executiounis thairof null. And that all Schireffis haue honest famous men to thair Clerkis, quha be thame selfis or thair sufficiēt deputis, salbe haldin to be alwayis resident within the heid Burgh of the Schire for ressauing and Registring of the saidis hornungis and relaxatiounis, as thay sall occur, and sall do the same trewlie and ordourlie within xxiiij. houris, vnder the pane of payment of the dampnage and Interest that the partie skaithit happinnis to sustene in thair default, at the sicht and modificatioun of the Lordis of Counsall and Sessioun. And that Ilk Schiref caus the Names of all the personis swa denuncit and remaning in his Register to be oppinlie publeist and proclamit at the mercat Croce of the heid Burgh of the Schire vpon the mercat dayis preceding the thre heid Courtis zeirlie, and affix the Catholog of thair Names baith on the mercat Croce and in the Tolbuith, that gif ony of thame hes actioun to persew, thay may be repellit Ab agendo, and na wayis to be deleit furth of the said Catholog quhill thay be lauchfullie and dewlie relaxit fra the horne. And that euerie Schiref within the space of xv. dayis efter the heid Court send the Catholog of the Names of the said Rebellis Registrate in his buikis, and ane breif note of the caulis for quhilk thay ar denuncit to our Sourane Lordis Thesaurar or his Clerk, quha salbe haldin with all diligence to rais letteris, and caus vptak the escheitis of the Rebellis to our Souerane Lordis vse. And quhen our Souerane Lordis Comptrollair Collectour generall, or ony vther personn presentis letteris of horning dewlie execute and Indorsat to the said Lord Thesaurar or his Clerk for speciall sowmes of money or det, The Thesaurar sall caus rais letteris thairupon at his Instance for vptaking of the escheit, direct outher to the Schiref of the Schire or his deputis, or to Officiaris of Armes as it may best serue be

anise of the complenar, of the reddiest and first end of the quhilk escheit the partie complenar salbe payit of his Just debt with the Officiaris expensis, and the superplus of the said escheit to be brocht in to his Maiesteis Thesaurar within the space of ane Moneth thairefter. Prouiding that the partie complenar and presentar of the letteris to the Thesaurar, mak the first expensis vpō the Schirek or Officiar that salbe directit for vptaking of ȳ saidis escheit gudis, quhill the escheit self may releik the saidis expensis, and then the same to be tane and allowit of the escheit. And in cace the Officiar direct for vptaking of the said escheit, beis violentlie deforcit and stoppit in execution of his office, then vpō the complaint of the said Lord Thesaurar or of the Officiar or partie that wantis payment of his debt, letteris salbe direct be deliuerance of the Lordis of Counsall, chargeing the Schirek of the Schire and his deputis, or gif it be vnderstand that the Schirek will not or may not, chargeing sum of the Nobill men Barrounis or gentilmen of gude power within the Schirekdome, best affectit to the furth setting of our Souerane Lordis Authoritie and Justice, to conuocat his hienes liegis in weirlike maner, and to pas and concur with the said Officiar that befoir was deforcit & stoppit, and se the command of the letteris execute riallie and with effect, befoir thay depart of the ground quhair the saidis escheit gudis remanis. In the quhilk execution, thay sall haue all fredomes, priuileges & Immunitеis that ar grantit be the Lawis of this Realme to sic personis as persewis the Kingis rebellis to bring them to his Lawis. Prouiding that this Act nor nathing thairin contenit be preiudiciall to the Lordis of Regalitеis or thair Bailleis, bot thay to vse and bruik thair richt & priuileges, baith in execution of letteris & in vptaking of escheitis, as thay micht haue done befoir the making of this present Act. And howsaeuer the escheit be vptakin vpō horning execute for sowmes of money, quhilk ber be the Schireffis & vtheris ordinar Judges be thair awin Authoritie or at command of our Souerane Lordis letteris, That alwayis the partie complenar be first satisfeit of his Just debt with the Officiaris expensis.

¶ For remeid of the fraude and disorder vsit be Officiaris of Armes in execution of Criminall letteris. CAP. IX.

ANENT The complaint maid to our Souerane Lord and thre Estaitis of this present Parliament, be the pure Cōmounis vniuersallie within this Realme, makand mentioun, That quhair as it is not vnknawin to his hienes and his Estaitis, how James

Erle of Wortoun Lord of Dalkeith in his lait Regiment for gude ordour to be had amangis his Maiesteis Officiaris of Armes and vtheris parteis, & raisit and persewit criminall letteris vpō slauchteris, mutilationnis, and vtheris capitall crymes, quhairby ane greit multitude of complices was sūmound & geuin in bill, and sic collusioū vsit betuix the parteis & Officiaris foirsaidis exercitouris thairof, that cōpositioun was tane for deleiting of thair names, to the greit prejudice of his Maiestie, thay being oft times knawin as giltie of the samin crymes, and zit suld not be persewit at the dyet appointit thairto, in respect that na souertie was foūd for reporting of the saidis letteris dewlie execute and Indorsat vpon the saidis complices. And thairfoir cōmand was geuin be his hienes lait Regent foirsaid to the Justice Clerk & his deputis, That na letteris criminall in time cūming suld be direct nor past be thame for sūmounding ony complices to be geuin in bil be the partie purchessar thairof, bot that thay haill personis complenit vpon suld be nominat in the bodie of the principall letteris. Neuertheles it is of veritie, that diuers our Soueranе Lordis Officiaris of Armes foirsaidis, without power or Priuilege grantit to thame be vertew of the saidis criminall letteris, not onlie hes sūmound and daylie zit sūmoundis diuers personis as cōplices geuin in bill & not nominat in the letteris foirsaidis, cōpelland thairthrow ane greit part of the saidis complices, to travell vpon thair sumpteous thargis & expensis to his Maiesteis burgh of Edinburgh. And vtherwise vsis sic extortioun, that the subiectis ar cōpellit to gif the saidis Officiaris cōpositioun to delet thair Names. Like as alswa to thair greitter wrak and heirschip, the saidis Officiaris be collusioun of diuers parteis purchessaris of the saidis letteris, hes summound & daylie zit sūmoundis sic multitude of Assysouris to particular dyettis, that be cōpositioun resauit be the saidis Officiaris, fra substantious personis quhome thay delet & drawis furth of thair rakker efter thay be sūmound, thair is be apperāce of thair extortioū nein als mekil profite & cōpositioū collectit as wald satisfie ye parteis aganis quhome the crimis ar cōmittit, & na vthers ar put in Roll, to cōpeir vpō the Assyse, bot a multitude of his hienes pure cōmounis foirsaidis, quha hes not monye to pay cōpositioū, To pair greit hurt, travel & expensis, as alswa to the prejudice of his Maiesteis Thesaurar and Aduocatis for his hienes entres, quhilkis for want of ane sufficient number of Assysouris ar cōpellit to cōsent to the continuatioū of sindrie causis. Thairfoir our Soueranе Lord with aduise of his thre Estaitis in this present Parliament statutis & ordanis, ye the Justice Clerk & his deputis sal direct na letteris in time cūming for calling of ony cōplices generallie to vnderlip ye Law, bot ye the letteris be vpō special personis cōplenit vpō.

And

And that na Schirek or Officiar of Armes exekutour of ony criminall letteris, presume or tak vpon hand, to charge or vse execution vpon ony complices geuin in bill attour the boundis and directioun of the letteris, nor to summound ony ma personis vpon ane Assyse then fourtie fiue, quhilkis he sall ressaue in Roll fra the partie persewar subscriuit with his hand, and sall anner the same Roll vnalterit or cancellat to the end of his execution, vnder the pane of fiue hundreth merkis to be Incurrit be his souertie, & the said Officiar to be depriuit of his office, & to suffer farther panis in his bodie and gudis at our Souerane Lordis will. And gif ony partie persewar findis that of necessitie he mon haue ane greiter number summound vpon the Assyse, vpon his supplicatioun the same salbe grantit as it sall appeir ressonabill. In quhilk cace the Officiar may summound sa mony ma vpon the Assyse as he salbe directit be the letteris, and ressaue in Roll subscriuit be the partie, without Incurring the pane abone writtin.

¶ Tueiching the disherising of the posteritie of thame that ar conuict of the Murtheris of the King our Souerane Lordis Father and twa Regentis. CAP. X.

FORSAMEKILL As be the Actis, Lawis, and Constitutiounis of this Realme maid be our Souerane Lordis maist Nobill Progenitouris, The crymes of tressoun and Leismaiestie hes bene maist seueirlie puneist, not onlie in the persounis actuall committaris thairof, bot alswa in the persounis of thair posteriteis, quhilkis for the faultis of thair Progenitouris, wer declairit to be vnabill to acclame ony heritages, Lordschippis, landis or possessiounis within this Realme, and that in tressounis quhilkis ar not of sa greit wecht and grauitie as at the tressounis committit in the schamefull and detestabill Murtheris of vmquhile our Souerane Lordis derrest Father, and his twa Regentis. And thairfoir in the horrour of the saidis detestabill Murtheris, and to the terrour of vtheris to commit the like in time cumming.

IT IS statute and ordanit be our Souerane Lord, with aduise of his thre Estaitis of this present Parliament, That the barnis aswell naturall as lauchfull gottin or to be gottin of the persoūis following, Videlicet, of James sumtime Erle Bothwell, James Ormistoun sumtime of that Ilk, Johne Hay sumtime appeirand of Talo, Johne Hepburne callit Johne of Boltoun, Schir Williame Maitland sumtime zounger of Lethingtoun, and Schir James Balfour sumtime of Pettindreich Knicht, Quhilkis ar

of lang time bypast conuict, for the detestabill Murther of our said Souerane Lordis vmquhile derrest Father, Johne sumtime Cõmendatour of Abirbrothok Claude sumtime Commendatour of Paslay, James Hammiltoun callit James of Bothwelhauch, Johne Hammiltoun sumtime Prourst of Bothwell his brother, Gawin Hammiltoun sumtime of Roploch, Robert Hammiltoun sumtime of Dalserf, Dauid Hãmiltoun sumtime of Monktounmanis, James Mureheid sumtime of Lauchope; Johne Hammiltoun sumtime of Schawtoun, Andro Hammiltoun sumtime in Helepis, Robert Hammiltoun sumtime of Lethame, Johne Hammiltoun sumtime of Kilbowie, Robert Balfour brother to Schir James Balfour, Alexander Bailze sumtime younger of Litilgill, and James Bailze his brother, quhilkis in this present Parliament ar conuict of the cruell Murther of the saidis twa Regentis Respectiue, Sall bruik nor acclame na heritages, Lordschippis, lãdis nor possessiounis within this Realme, howsaeuer the same is or sall happin to be acquirit to appertene to the saidis barnis, sen the committing of the saidis horribill Murtheris Respectiue, bot the samin heritages, Lordschippis, landis and possessiounis sall appertene to our Souerane Lord, and be at his dispositioun as escheit, als frelie in all respectis as gif the committaris of the saidis abhominabill Murtheris had bene in titill thairof thame selfis, the times of thair committing Respectiue.

## ¶That the panis of Lawborrowis salbe deuydit betuix the King and the partie offendit vnto. CAP. XI.

FORSAMEKILL As the panis of breking of Lawborrowis hes bene negligentlie takin vp in time bygane, be ressoun the partie offendit vnto ressauit na commoditie be the persute of the actioun. ¶THAIRFOIR It is statute and ordanit be our Souerane Lord, with auise of the thre Estaitis of this present Parliament, That the panis of breking of Lawborrowis to be fund in time cumming, salbe equallie deuidit, the ane half to our Souerane Lordis vse, and the vther half to appertene to the partie offendit vnto, quha sall haue actioun to persew thairfoir.

## ¶Aganis sic as troubillis thair Nichtbouris be Criminall persute faikles. CAP. XII.

FORSAMEKILL As sindrie personis of meir malice and Inuy, calumniatis Innocent personis and daylie persewis

ſewis thame befoir the Juſtice vpon panis Criminall, quhairof the perſounis accuſit being Innocent, ar acquite andmaid clene be the Aſſyſe. And likewiſe ſindrie perſounis that outher in thair awin Names or be the kingis Aduocattis vpon thair Informatioun, raiſis criminall letteris and Summoundis Aſſyſiis from the far partis of this Realme, oft times vſis to pas fra the perſute of the letteris at the Bar, to the greit preiudice of our Souerane Lord and troubill of his hienes liegis. ¶FOR remeid quhairof, our Souerane Lord with aduiſe of his thre Eſtaitis of this preſent Parliament ſtatutis and ordanis, That the ſaidis Iniuſt perſewaris ſall pay the panis and vnlaw Reſpectiue following, in caſe the perſounis accuſit happinnis to be acquite of the crymes laid to thair charge, to be equallie deuidit betuix our Souerane Lord and the partie acquite. That is to ſay, gif the partie acquite be onlie ane perſoun or ma, of or within the number of ten, the ſowme of ten pundis, and gif the number acquite be paſt the number of ten, the ſowme of twentie pundis, and that dome be geuin thairupon befoir the Juſtice without fatther calling, and the perſewar haldin in waird quhill he mak payment. And gif the kingis Maieſteis Aduocat be onlie perſewar, his Informer to pay the pane foirfaid, And letteris of Pounding or horning to be direct for payment thairof vpon the Act of Adiornall without vther calling or Proces of Law. And that in time cumming the Juſtice Clerk and his deputis at the granting of letteris, tak ſouertie for agane bringing of the letteris dewlie execute and Indorſat; and that the raiſaris thairof ſall perſew the ſamin letteris at the day appointit, vnder the pane cõtenit in the Actis of Parliament.

## ¶Anent the cheiſſing of Inqueiſtis in cauſis of Perambulatioun. CAP. XIII.

BECAVS Thair is mony and ſindrie breuis of perambulatioun raiſit within this Realme, quhairin the raiſaris and perſewaris of the ſaidis breuis foũdis thameſelf vpon na boundit euident, bot Intendis to verifie and preif thair clame of the meithis and marchis of the landis debatabill be the perſounis of Inqueiſt being men of ſmall Rent or leuing, and ſum of thame hauing na heritage; and ſiclike be ſindrie perſounis quha kennis nocht the landis debatabill, nouther zit dwellis in the countrie neir the ſamin; thinking na obiectioun may be maid aganis thame, ſwa that thay be Probi & fideles homines patrie, quhilk

as sum thinkis, honest and faithfull, hauand geir worth the kingis vnlaw, and subiectis of the Realme, quhair euer thay dwell far or neir. Quhilk gif it wer trew men of na heritages suld be Judges and alswa witnessis to the propertie of landis, and tak away mennis heritages and landis pertening to thame, and adiudge the same to vtheris quha hes litill or na richt to the samin. ¶THAIRFOIR It is statute and ordanit, That in all time cumming in caulis of perambulatioun, na personis be ressauit vpon the Inquest thairof, bot honest substantious men, hauing heritage of thair awin, and quha best knawis the meithis of the saidis landis, and dwellis maist nwest the samin, To wit, within the Schirefdome quhair the saidis landis debatabill lyis (gif thay may be had within the samin) and four halfis about, or four nixt Schires gif thay can not be conuenientlie be had within the Schire it self. And this to be vniuersallie obseruit quhen the breif and clame of Perambulatioun can not be becifeit be ane boundit euident nor vther autentick writtis.

## ¶Anent the Inserting of Witnessis in Obligatiounis, and vtheris writtis of Importance. CAP. XIIII.

ITEM It is statute and ordanit be our Souerane Lord, with aduise of his thre Estaitis in Parliamēt, that all Contractis, Obligatiounis, Reuersiounis, Assignatiounis & dischargis of Reuersionnis or eikis thairto, and generallie all writtis Importing heritabill titill, or vtheris bandis and Obligatiounis of greit Importance to be maid in time cumming sall be subscriuit and seillit be the principall parteis gif thay can subscriue, vtherwise be twa famous Notaris befoir four famous witnessis denominat be thair speciall dwelling places, or sum vther euident takinnis, that the witnessis may be knawin being present at that time, vtherwise the saidis writtis to mak na faith.

## ¶Anent Prescriptioun in cauis of spuilzeis and Eiectiounis. CAP. XV.

ITEM It is statute and ordanit be our Souerane Lord, with aduise of his thre Estaitis in Parliamēt, that all actiounis of spuilzeis Eiectiounis and vtheris of that nature be persewit befoir the ordinar Judge within thre zeiris efter the committing thairof, vtherwise the persewaris alledgeit hurt neuer to be hard thairefter. ¶Prouiding that this Act extend not

to Mi-

to Minoris, bot to perſew within thre zeiris efter thair perfite age.

¶Anent Preſcriptioun in cauſis of Removing. CAP. XVI.

ITEM It is ſtatute and ordanit be our Souerane Lord, with auiſe of his thre Eſtaitis in Parliamẽt, that all actiounis of Removing be perſewit within thre zeiris efter the warning, with certificatioun and thay failze the warnaris ſall neuer be hard thaireftir to perſew the ſamin vpon that warning.

¶Anent Preſcriptioun in certane cauſis of debt. CAP. XVII.

ITEM It is ſtatute and ordanit be our Souerane Lord, with auiſe of his thre Eſtaitis in Parliamẽt, that all actiounis of debt for hous maillis, mennis ordinaris, ſeruãdis feis, Merchantis compts, and vther the like debtis that ar not foundit vpon writtin Obligatiounis, be perſewit within thre zeiris, vtherwiſe the creditour ſall haue na actioun except he outher preif be writ or be aith of his partie.

¶Aganis the deſtroyaris of planting, haning and policie. CAP. XVIII.

FORSAMEKILL Aſchair is ſindrie louabill and gude Actis maid be our Souerane Lord and his maiſt Nobill Progenitouris, ſpeciallie be his hienes Gudefhir King James the Fift of gude memorie, anent planting of Woddis, Foreſtis and Orchardis, ſawing of Brume, aganis the diſtroparis thairof, brekaris of Dowcattis, Cuningairis, Parkis, ſtankis, zairdis, Orchardis, ſlaying of Hairis, makaris of Mureburne in forbiddin time, and ſindrie like vther thingis for puniſchement of the diſtroparis of planting, haning and policie. QVHILKIS Actis our ſaid Souerane Lord with auiſe of his thre Eſtaitis in this preſent Parliament ratifeis, approuis, and confirmis, and ordanis thame to haue effect and execution in time cumming, not onlie vpon the contrauenaris thairof, bot alſwa vpon the diſtroparis and ſteillaris of Beis, & cuttaris and pultaris of Brume, with this additioun, that quhatſumeuer perſoun ſteillis, peillis, and diſtropis grene wod, pullis or cuttis hanit Brume, brekis zairdis or Orchardis, without the gude will of the awnar. That the offendour being takin reid hand may be perſewit and put to the knawledge of ane aſſiſe, befoir the Barroun or landis Lord

of the land or ground, quhidder the offendour be his Tennent vnto quhome the wrang is done or not, within thre dayis efter the apprehensioun. And vtheris not takin reid hand to be alwayis persewit befoir the Schiref, Stewart or Baillie within quhais boũdis and Jurisdictioun the wrang doar dwellis. And gif he that reffauis the wrang and hurt be Schiref, Stewart or Baillie himself, then the wrang doar to be persewit befoir the vnsuspect deputs of the saidis Schiref, Baillie or Stewart reffauand the wrang. And for the first fault being convict be his awin confessioun or witnes, sall pay to the awnar of Wod, Brume or zaird the auaill of the skaith done, togidder with ten pundis. For the secund fault sall pay to the said awnar twentie pundis, with the auaill of it that is destroyit. And for the thrid fault sall pay to the said awnar fourtie pundis, and the auaill of it that is skaithit. And fra thine furth sa oft as the offendour failzeis thairefter the said thrid penaltie to be payit to the awnar of the Wod, Brume or zairdis. Bot in case the committar of the wrang be vnresponsall, he sall for the first fault be put in stokkis, Presoun, or Irnis aucht dayis on breid and watter, And for the secund fault fiftene dayis, and for the thrid fault ane Moneth to ly in the stokkis as said is, and to be scurgit at the end of the said Moneth. And this but prejudice to be callit at Justice Courtis at our Soverane Lordis Instance conforme to the former vse & auld Actis. And that the panis for breking of Dowratris, Cuningaitis and Parkis, be according to this present Act and additioun abone writtin. And in case the offendouris be not responsall in gudis for the saidis panis, for the first fault to be puneist as is abone writtin, for the secund fault the pane likewise abone exprest, and for the thrid fault hanging to the deid.

¶Ratificatioun of the Priuileges of Burrowis. CAP. XIX.

OVR Soverane Lord and thre Estaitis of this present Parliament, ratefeis and approuis all and sindrie Priuilegis, Liberteis, Immunitеis, Fredomes and Actis of Parliament maid and grantit be quhatsumeuer his Maiesteis vmest Nobill Progenitouris in ony time bygane in fauouris of the Burrowis and Burgessis thairof. And decernis and declairis all and sindrie the saidis Actis and Constitutiounis to have full strenth and effect in all tymes heirefter, and that the samin be put to full and dew execution in all pointis, efter the forme and tennour thairof, and to stand as ane perpetuall Law to the saidis Burrowis and Burgessis

gellis and thair ſucceſſouris in all time cumming. And the Lo3dis of Counſall and Seſſioun to giue and direct letteris at the ſupplicatioun of the P3ouoſtis, Aldermen, and Bailleis of Burrowis as ar aggreabill with the ſaidis Lawis and Actis of Parliament in all pointis.

## ¶Anent Packing, Peilling, Foirſtalling and tranſporting of Hering and quhyte Fiſche. CAP. XX.

FORSAMEKILL As diuers Actis hes bene maid be our Souerane Lo3dis maiſt Nobill P3ogenitouris in time bygane, Ordaining that the ſlayaris of Hering and quhite fiſche, ſuld bring the ſamin to the nixt adiacent Burrowis and cunnis quhair the perſonis ſlayaris thairof dwellis, to the effect that our Souerane Lo3dis liegis may be firſt ſeruit, and gif aboundance occurrit, that thay micht be ſaltit and tranſpo3tit be fre Burgeſſis: And that the ſaidis Actis throw negligence and ouirſicht hes nocht reſaſſit execution. Quhairthrow our Souerane Lo3d hes bene greitlie defraudit in his Cuſtomes, and his hienes liegis wantis the frute of the ſey appointit be GOD for thair nuriſchement, and the Burgeſſis and fremen of Burrowis diſappointit of thair traffique and commoditie. THAIRFOIR Our Souerane Lo3d, and thre Eſtaitis of Parliament ratifeis and app3euis all the ſaidis Actis and Conſtitutiounis maid anent the ſaidis Hering and quhite fiſche and bying thairof, Speciallie the Actis maid in the tymes of vmquhile his hienes dereſt Grandſchir King James the Feird of gude memo3ie, and be his Maieſtie the time of the Regiment of his richt traiſt Couſing James Erle of Mo3toun Lo3d of Dalkeith, Regent to his hienes his Realme and liegis for the time. And o3danis all and ſindrie the ſaidis Actis to be obſeruit and keipit in all pointis efter the fo3me and tennour thairof, and the contrauenaris of the ſamin to be puneiſt according thairto. And that all Schireffis, Stewartis, Bailleis, Lo3dis of Regalitеis, P3oueſtis, Aldermen, and Bailleis of Burrowis, and Judges o3dinar quhatſumeuer put the ſaidis Actis to execution vpon the contrauenaris thairof: And to that effect grantis and geuis to thame power and commiſſioun of Juſticiarie, euerie ane within the boundis of thair awin liberteis and Juriſdictiounis; and to vptak the eſcheitis of the contrauenaris being conuict, the twa part to the Kingis Maieſteis vſe, and to mak compt thairof zeirlie in his hienes

Chechker, and the thrid part of the ſame to the ſaidis Judges executouris, for thair trauellis and laubouris.

¶ For executioun of the Act of Parliament maid anent beiring, weiring, and ſchuitting of Culueringis and Daggis within Burrowis. CAP. XXI.

FORSAMEKILL As be Act of Parliament maid in the firſt zeir of our Souerane Lordis Reigne, IT WAS ſtatute and ordanit, that na maner of perſoun nor perſounis of quhatſumeuer eſtait, degre or conditioun, ſchnit with Culueringis, daggis, Piſtolettis, or ony vtheris Gunnis or Ingynes of fire wark in ony part of this Realme, nouther to Burgh nor to land, nor beir, weir, nor vſe ony Culueringis, daggis, Piſtolettis or ony vther ſic Ingine of fire wark vpon thair perſounis or in thair companie with thame, priuatlie or oppinlie, outwith houſin, without licence of our Souerane Lord, vnder the pane of cutting of thair richt hand, and farther panis ſpecifeit in the ſaid Act of Parliament, as the ſamin at mair length propertis. Quhilk hes not bene put to dew executioun in time bygane, be reſſonn of the troubillis Interuening. And thairthrow mony hes takin libertie to beir, weir, and vſe Culueringis, daggis, Piſtolettis, and vtheris Ingynes of fire wark within Burrowis, and vtheris partis of this Realme, quhairthrow diuers his hienes liegis hes bene ſchamefullie and cruellie Murtherit, ſlane and hurt in redding and vtherwiſe, quhilkis war abil aneuth to haue maid defence ſufficientlie for thame ſelfis at all times of perſute, and ſumpart of the occaſioun quhy the ſaid Act hes not tane executioun was be reſſoun of the pane of deith or demembring, quhilk the ordinar Judges was laith to execute.

THAIRFOIR Our Souerane Lord, and thre Eſtaitis foirſaidis, Ordanis the ſaid Act to be newlie publeiſt, and that na maner of perſoun nor perſounis beir, weir, vſe nor ſchuit Culueringis, daggis, or Piſtolettis within Burrowis or outwith the ſame in time cumming, vtherwiſe nor the ſaid Act and executiounis thairof proportis, vnder the pane of ten pundis monep of this Realme, and the Gun and armour thay beir, to be pane it be Ilk perſoun contrauenand and doand in the contrair, without preiudice of the vther panis in the Kingis Maieſtie will haue the ſame execute.

And

And for executioun thairof, makis and constitutes the Prouestis, Aldermen and Bailleis within Burgh his Maiesteis Justices in that part, euerie ane within thair fredomes and Jurisdictiounis, with power to thame to seirche, tak and apprehend the offendaris and contrauenaris and put thame to ane Assyse, and being conuict, to hald thame in waird quhill the pane foirsaid be payit, & to tak sicker souertie of the persounis conuict to forbeir in time cuming vnder the dowbill of the said pane, And the panis quhilk is beis vplifit to be employit to the support of the pure. And this Act to serue for sufficient commissioun to the saidis Prouestis, Aldermen and Bailleis of Burrowis to the effect foirsaid.

¶For punischement of Regrataris and Foirstallaris. CAP. XXII.

ITEM Our Soverane Lord and thre Estaitis of Parliament, hes ratifeit and approvit, and be this Act ratifeis and approuis, all Actis and Constitutiounis maid be his hienes maist Nobill Progenitouris in time bygane, speciallie the Actis maid be vmquhile his hienes derrest Gudschir King James the Fift of worthie memorie. Anent Foirstallaris and Regrataris of victuallis, Flesche, Pultrie, and vtheris viuers cumand to Mercattis. ¶And makis and constitutis the Prouestis, Aldermen, and Bailleis of all his hienes Burrowis, his Maiesteis Justices for execution of the saidis Actis, within the bounds of thair awin fredomes and Jurisdictiounis; and to vptak the panis contenit thairin to be applyit efter the forme and tenour thairof.

¶Anent the distructioun of Cruuis and Zairis, slauchter of red fische and Smoltis be wandis or vtherwise. CAP. XXIII.

ITEM Our Soverane Lord and thre Estaitis of Parliament, considdering the hurt that hes cummin to the commoun weill of this Realme and liegis thairof, be hauing and keiping of Cruuis and zairis, slauchter of red fische in forbiddin time and Smoltis, And that diuers actis and Constitutiounis hes bene maid be his hienes maist Nobill Progenitouris in tyme bygane, toward the distructioun and away taking of the saidis Cruuis and zairis, and eschewing of slaying of reid fische and Smoltis. Quhilkis hes not resauit dew execution in time bygane, Bot hes bene neglectit and ouirsene.

¶THAIRFOIR Ordanis the saidis Actis to be extendit and haue effect and execution in time cumming aganis the transgres-

souris thairof, efter the forme and tennour of the same; As alswa aganis the slayaris of the saidis red fische in forbiddin time, be bleiss, casting of wandis or vtherwise, or that distroyis the smoltis and fry of Salmound in Wyldammis, or be Polkis, Creillis, Trammelnettis and hirrie wateris. And that the saidis Lord, and awnaris of the saidis Cruuis and zairis betuix and the first day of Marche nixttocum, put doun and hald doun the saidis Cruuis and zairis, conforme to the saidis Actis; and vnder the panis contenit thairin. And gif thay failze thairin the said day being bypast, Ordanis and commandis his hienes Thesaurar to persew and vptak the saidis panis. And als ordanis the Schireffis, Stewartis, and Bailleis in the Schires, and Lordis of Regaliteis quhair the saidis Cruuis and zairis ar, and the Provestis and Bailleis of the nixt Burrowis coniunctlie and seuerallie; To pas with conuocatioun of his Maiesteis liegis, to cast doun and distroy the saidis Cruuis and zairis and hald thame doun, As thay will answer to our Soueraine Lord vpon thair obedience. And gif neid be that letteris be direct aganis thame to that effect within ten dayis, vnder the paine of Rebellioun and gif thay failze to put thame to the horne. And this Act to serue for sufficient commissioun to the saidis Schireffis, Stewartis, Bailleis, Lordis of Regaliteis, Provestis, Aldermen, and Bailleis of Burrowis to the effect foirsaid. And that thay na wayis salbe callit nor accusit thairfoir, nor incur ony skaith or danger thairthrow in time cuming. And commanding all our Soueraine Lordis liegis, to rise, concur and assist to the saidis Schireffis, Stewartis, Bailleis and thair deputis, Provestis, Aldermen and Bailleis of Burrowis and thair Officiaris, in putting the said Act to execution in all pointis efter the tennour thairof. And for punischement of the slayaris of red fische in forbiddin time be bleiss, casting of wandis or vtherwise, or distroyaris of the Smoltis and fry of Salmound in Wyldammis, or be Polkis, Creillis, Trámelnettis, and hirrie watteris, That the Schireffis, Stewartis, Bailleis, and Lordis of Regaliteis within thair awin Jurisdictiounis, proceid as ordinar Justices, and vptak and execute the panis and escheitis, the twa part to the Kingis Maiesteis vse, and the thrid to thame selfis for thair trauellis. And quhair the offendouris hes na geir worth the panis, to put and hald thame in Presoun, stokkis or Irnis for the space of ane Moneth vpon thair awin expensis, or gif thay haue it not, on breid and watter.

¶ Anent the transporting of Coillis furth of the Realme. CAP. XXIIII.

ITEM

ITEM Our Souerane Lord and thre Estaitis of Parliament, ratifeis and approuis the Act of Parliament maid in the Reigne of the Quene his hienes derrest Mother, anent transporting of Coullis furth of the Realme, and ordanis the same to be put to execution in all pointis agains the contrauenaris thairof, efter the forme and tenour of the samin, with this additioun, That the reuelar and apprehendar of the contrauenaris of the said Act and persewaris of thame to be conuict thairof, sall haue the thrid part of the escheitis of the contrauenaris for thair trauellis.

¶ For punischement of thame that tynis the pley within Burgh. CAP. XXV.

ITEM Our Souerane Lord and thre Estaitis vnderstanding that diuers and sindrie his liegis namelie within Burgh, ar becum sa wilfull, obstinat and malicious, that thay will not be content to pay and satisfie thair Neichbouris & creditouris of sic dettis as thay aucht Justlie to them without calling and compulsioun of the Law and extremitie thairof. ¶ THAIRFOIR statutis and ordanis that the partie agains quhome decreit beis geuin within Burgh, sall pay to ỳ support of the pure twelf penneis of euerie pund effeiring to that quhilk beis recouerit and obtenit befoir the Judge, and alswa the expensis of the partie obtenar of the decreit at the modificatioun of the said Judge. And gif ony partie alledges produceis or geuis in befoir the Judges within Burgh ony defence or exceptioun quhilk hes bene of befoir propouit, to the delap of his partie, the producer thairof sall pay the sowme and pane of twentie schillingis to be emplopit to the help of the pure, and that sa oft as faitze beis maid. And this to extend aswell to the Procuratour as principall partie in time cumming.

¶ Ane Act in the fauour of the Fewaris and Takismen of the landis and Teyndis belanging to the Possessouris of the Prelaceis Forfaltit. CAP. XXVI.

FORSAMEKILL As thair is sindrie complaintis geuin in be diuers Fewaris, Takismen, and Tennentis of certane landis, Teind scheuis and offices, haldin be thame Immediatlie as Fewaris, Takismen, and Possessouris thairof of Johne sumtime Commendatour of Aburbrothok, Claude sumtime Commendatour of Paslay, now presentlie conuict in this present Parliament,

and of Schir James Balfour sumtime Commendatour of the Priorie of Pettinweme allwa conuict of befoir, for certane crimes of Tressoun and Lesemaiestie committis be thame and ruetie ane of thame, as at mair leith is contenit in the Proces and dome of Forfaltour led and deducit aganis thame Respectiue. Anent the Act of our Souerane Lordis Parliament haldin and begun at Striuiling the xxviij. day of Auguſt, the zeir of God ane thousand fiue hundreth thre scoir and nineteine zeiris. Proportand and beirand, that it is declairit and decernit be our Souerane Lord, with auise of my Lord Regentis grace and the Estaitis, That all Alienationnis, Resignationnis, dimissionnis and vtheris dispositionnis quhatsumeuer, maid or to be maid be ony maner of persoun or persounis, conuict or that sall happin in ony wayis to be conuict or Forfaltit heirefter for airt and pairt of the Trelonabill, Murtheris and slauchteris of vmquhile our Souerane Lordis derrest Father and Regentis, of quhatsumeuer landis, heritages, offices, benefices, rowmes or possessionnis, sen the times Respectiue of the commuting thairof, ar and sall be null of thame selfis and of nane availl, strenth, force nor effect in all times cumming, with all that followit or sall happin to follow thairupon. And that the saidis complenaris being auld Fewaris, Takismt, and possessouris of the saidis landis, teind scheuis and offices, and abyding continuallie sen the dait of the said Act at our Souerane Lordis obedience as faithfull and trew subiectis to him. Hes maid new Resignationnis and tane Infeftmēt of the landis and offices pertening to thame of auld in Few and heritage. And sichike the saidis Takismen of landis and teind scheuis beand auld possessouris thairof be thame selfis, thair predecessouris or thair authouris, quhairof thay haue zit termis to rin, or hes renewit the samin for zeiris to cum, for payment of the dewteis contenit in thair Fewis & Takkis, quhairby thay haue alledgeit & alledgeis that thay suld bruik and vse thair saidis Fewis, & thair Takkis during the zeiris and termis contenit thairin, notwithstanding the foirsaidis Proces of Forfaltour led and deducit aganis the saidis twa Abbottis and Priour, and of the said Act maid at Striuiling as said is. Quhilkis desires grantit in wrait be diuers of the saidis liegis of this Realme, Fewaris, Takismen, & vtheris hauand offices as said is, of the saidis twa Abbottis and Prior, being sene and considderit, first be the Lordis of Articklis, and thairefter be the Kingis hienes and Estaitis foirsaidis.

QVR said Souerane Lord with auise of his saidis thre Estaitis of this present Parliament, hes declairit and declairis, that quhatsumeuer Few, office, or Tak tane be quhatsumeuer persoun

or persounis our Souerane Lordis faithfull liegis abyding at his obedience, of the saidis sumtime Abbattis and Prior, quhairof the saidis Fewaris and Takismen thair Authouris or Predecessouris hes bene in possessioun befoir the dait of the said Act maid at Striuiling, and renewand thair saidis Takkis or Infeftmentis, outher of landis, offices, or teindis sensine, and makand na alteratiounn anent the payment of the dewtie contenit in thair saidis auld Takkis, nor zit of the dewtie contenit in thair saidis Fewis of auld, and of the halding thairof, That the said Act maid at Striuiling sall on na wayis be hurtfull nor preiudiciall to them, Bot that thay bruik and vse the samin during the zeiris to ryn contenit in thair saidis Takkis, And siclike the Fewaris to bruik the saidis landis and offices conforme to thair Infeftmētis, notwithstanding the Proces and dome of Forfaltour pronounsis aganis the saidis Abbattis and Prior.

¶ Approbatioun of the Act maid anent proceding in the Kingis Maiesteis Name. CAP. XXVII.

THE Kingis Maiestie with auise and consent of the thre Estaitis of this present Parliament, ratifeis and approuis the Act maid be his hienes with auise and consent of his richt traist Cousing James Erle of Mortoun Lord of Dalkeith Regent to his hienes his Realme and liegis for the time, and thre Estaitis in Parliament, Intitulat. Approbatioun of the Actis and proceidingis done in Name and Authoritie of our Souerane Lord, and of the Inualiditie of all thingis attemptit in the Name or be contrair of ony vther Authoritie sen his hienes Coronatioun. And his hienes and his saidis Estaitis Interponis thair Authoritie thairto, And deceirnis the same to haue full strenth, force & effect in all time cūming, of the quhilk ye tēnour followis. FORSAMEKILL &c. In the prent Actis of the Parliament haldin at Edinburgh the xxvj. day of Januar. 1572.

¶ Ane Act in the fauour of our Souerane Lordis trew and faithfull subiectis, quhilkis hes constantlie remanit at his hienes obedience. CAP. XXVIII.

ANENT The supplicatioun presentit to our Souerane Lord and his thre Estaitis, be his hienes trew and faithfull subiectis quhilkis at all times sen the begining of the last Ciuile weiris within his Realme hes biddin constantlie but defectioun in his

hienes ſeruice with greit hasard of thair liues and lois of thair gudis. Makand mentioun, that quhair his Maieſtie at all times mouit of clemencie and pietie grantis the benefite of the pacificatioun to ſindrie perſounis that in the ſaidis Ciuile weiris planelie bure armour and tuik pairt with his hienes declairit Tratouris. For the quhilkis cauſis, thay thame ſelfis alſwa war forfaltit, & thair landis, rowmes, and poſſeſſiounis falland in his Maieſteis handis throw the ſaid Forfaltour, war diſponit to the ſaidis cõplenaris in recompens of thair ſeruice, quhairwith thay ſenſine hes Intromettit and hes applyit the dewiteis thairof to pair awin vſe. Nochtheles as thay ar credibillie Informit the obtenaris of the ſaid Pacificatiounis Intendis to call the ſaidis complenaris vpon thair Intromiſſioun foirſaid, quhairthrow thay ſalbe in far war condition that hes bene his hienes trew ſubiectis from the beginning, then thay that hes maid defectioun, without his Maieſtie and his ſaidis Eſtaitis prouide remeid.

¶ THAIRFOIR our Souerane Lord with aduiſe of his ſaidis thre Eſtaitis, declairis and decernis, all and ſindrie his ſaidis trew and faithfull ſubiectis quhilkis hes abiddin conſtantlie but defectioun at his obedience, to be fre and harmeles of thair foirſaid Intromiſſioun, at all handis that hes obtenit or ſall obtene the ſaidis Pacificatiõis. Swa that his hienes trew & faithfull ſubiectis foirſaidis for thair ſaid ſeruice, be not in war caſe nor thay that war in his Maieſteis contrair.

¶ Anent the admiſſioun of preuie Wryteris, charges and cõmandis be the Lordis of Seſſioun. CAP. XXIX.

ANENT The ſupplicatiõ geuin in to our Souerane Lord and thre Eſtaitis of Parliament, be the Chancellar, Preſident and remanent Senatouris of the College of Juſtice makand mentioun, That quhair be the Inſtitutioun of the ſaid College, thay ar Authoriſit to ſit and decide vpon all actiounis Ciuile, & nane vtheris to haue voit with thame. And our ſaid Souerane Lordis derreſt Gudſchir King James the Fift of worthie memorie Inſtitutar of the ſaid College, prouiſit in the ſaid Inſtitutioun thairof, That he ſuld not be ony preuie writing, charge or command (at the Inſtance of ony perſonnis) deſire thame to do vtherwiſe in ony mater that ſuld cum befoir thame, bot as Juſtice requirit, or to do ony thing that may brek the ſtatutis maid be thair Predeceſſouris the firſt Senatouris of the ſaid College at his hienes cõmand, in doing of Juſtice. And that he wald giue na credite to

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ony man that wald murmure the saidis Lordis or ony of thame, be doing of wrang and vnhonestie, bot thay suld be callit befoir him, and gif thay war foundin culpabill, to be puneist thairfoir efter the qualitie of the fault or demerite, and gif thay war foundin clene and Innocent, The persounis complening to be puneist with all rigour, and neuer to haue credite agane with his hienes, as in the said Institutioun ratifeit be Parliament at mair lenth is contenit. Neuertheles within thir few zeiris bypast our Souerane Lordis Authoritie and thair Jurisdictioun is grit lie troublit and callit in dout, be ressoun of sindrie preiue writingis & charges direct aganis thame be our said Souerane Lord and his preiue Counsall, sumtime to forbeir to proceid in Ciuile causis befoir the Intenting thairof, sumtime to stay the Proces and remit the mater to the Parliament quhilk sendle haldis, and thairthrow diuers parteis ar oft times frustrat and delapit of Justice, and sumtimes efter the decreitis geuin the execution thairof stoppit, as sindrie of the number of the said College awaitting on the saidis Lordis of Articklis can speciallie declair. Quhilk as it tendis to thair discrediting, swa it bringis contempt to our Souerane Lordis Authoritie, and castis the parteis hauand thair causis in Proces (to quhome Justice suld alwayis be patent) in greit dout, quhen thay find not ane ourgait to haue thair causis decidit quhair thay ar Intentit. And the kingis Maiestie, his Parliament, and preiue Counsall sall haue litill time and opportunitie, to consid der his hienes awin affairis, and the causis of the commoun weill, gif that at the Inopportune sute of priuat parteis, the Ciuile causis ordourlie belanging to the Judgement of the College of Justice salbe brocht befoir thame.

¶ THAIRFOIR Our Souerane Lord with aduise of his thre Estaitis of this present Parliament, hes declairit, decernit, and ordanit, like as thay be the tennour heirof decernis, declairis, and ordanis the saidis Lordis of Counsall and Sessioun, to proceid in all the saidis Ciuile causis Intentit and depending befoir thame or to be Intentit, and to caus execute thair decreittis alreddie geuin or to be geuin, notwithstanding ony priuat writing, charge or command at the Instance of ony persoun or persounis direct or to be direct in the contrair.

## ¶ Anent the admissioun of the ordinar Lordis of the Sessioun, and Reformatioun of certane abusis thairin. CAP. XXX.

FORSAMEKILL As it is heuilie murmurit be diuers liegis of this Realme, that our Souerane Lord electis and cheisis

zoung men without grauitie, knawledge, and experience, not hauand sufficient leuing of thair awin, vpon the Sessioun, and that sym of thame be thame selfis, thair wiffis, or seruandis, takis Buddis, Bypbis, gudis and geir, swa that Justice in effect is coft and sauld. ¶FOR remeid quhairof, The kingis Maiestie, with auise of the thre Estaitis of this present Parliament, statutis and ordanis, That nane of the Lordis of Sessioun alreddie ressauit or to be ressauit, nouther be thame selfis, or be thair wiffis or seruandis, tak in ony times cumming, Bud, Bryb, gudis or geir, fra quhatsumeuer persoun or persounis presentlie hauand or that heirefter sall happin to haue ony actiounis or causis persewit befoir thame, outher fra the persewar or defendar, vnder the pane of confiscatioun of all thair mouabill gudis that dois in the contrair, the ane half thairof to be applyit to our Souerane Lord, and the vther half to the reuelar and tryar of the saidis bud takaris. And farther decernis and ordanis the saidis Bud takaris to be displacit and depryuit simpliciter of thair offices quhilk thay beir in the College of Justice, & to be declairit Infame, and als to be punesit in thair persounis at the kingis Maiesteis will. And sicklike our said Souerane Lord with auise foirsaid hes declairit and declairis, that in all times cumming quhen ony ordinar place vaikis in the Sessioun, that our said Souerane Lord sall present and nominat thairto ane man that feiris GOD, of gude literature, practik, Judgement, and vnderstanding of the Lawis, of gude fame, hauand sufficient leuing of his awin, and quha can mak gude expeditioun and dispatche of maters tuitching the liegis of this Realme, Quha salbe first sufficientlie tryit, and examinat be ane number of the saidis ordinar Lordis. And in caice that persoun presentit be the kingis Maiestie be not found sa qualifeit be thame as is befoir discriuit, our Souerane Lord with auise of his saidis thre Estaitis declairis that it salbe lesum to the saidis Lordis to refuse the persoun presentit to thame, And the kingis Maiestie to present ane vther sa oft as he plesis, quhill the persoun presentit be foundin qualifeit for vsing of the said place. And sicklike our said Souerane Lord with auise foirsaid, hes declairit and declairis, that the President of the said College of Justice salbe chosin be the haill Senatouris thairof, of the conditiounis and qualiteis abone writtin, quhidder he be of the Spirituall or Temporall estait. For chesling and electing of quhome, the kingis hienes and Estaitis foirsaidis dispēsis with that part of the first Institutioun of the College of Justice, Beirand that the President suld be of the Spirituall estait and ane Prelait constitute in dignitie. And alswa declairis that in absence of the

Chancellar

Chancellar and Prelident now being, and that ſall happin to be for the time. ¶IT ſalbe leſum to the ſaidis Lordis to elect and cheis onp ane of thair number quhome thap think qualifeit and worthieſt as ſaid is, Quha ſalbe callit vice Preſident for vſing of the ſaid office, calling of materis, repeting of alledgeances propo-nit be the Aduocattis at the Bar, collecting of the Lordis voittis, and pronounciatioun of thair decreitis and Interloquutouris, ap and quhill the returning of the ſaidis Chancellar or Preſident.

¶Declaratioun anent preuing of letteris and executiounis of horning be Witneſſis. CAP. XXXI.

FORSAMEKILL As anent the cõplaint geuin in be Schir Dauid Hume of Fiſchewik Kniecht, Beir-and that thair being ane actioũ & caus perſewit be him aganis Schir Richart Maitland of Lething-toun Knicht, ane of the Lordis of Selſioun, For tranſferring of ane decreit of nõentres obtenit be vmquhile Willi-ame Maitlãd of Lethingtoũ zounger his ſone in the ſaid Schir Dauid as donatour thairto be diſpoſitioun maid be our Soue-rane Lord with auiſe of his vmquhile derreſt Gudſchir Mathew Erle of Lennor Lord Dernelie Regent for the time. In the quhilk caus for delap of time it was alledgeit be the ſaid Schir Richart that thair aucht na tranſlatioun to pas, becaus the ſaid vmquhile Williame was denuncit and put to the horne in our Souerane Lordis derreſt Motheris time for certane cauſis, and that he had obtenit ane farther gift grantit be hir of the ſaid de-creit, And for probatioun thairof ſtapit the ſaid Schir Dauidis Proces be the ſpace of twa zeiris. And ſeand that be na delap of time he culd cum be the ſaid horning (quhilk neuer was) he be his ſupplicatioun to the ſaidis Lordis of Selſioun deſirit the ſamin to be prouin be witneſſis, hauand nouther Law nor practik in ſic caiſſis. And it being ane noueltie and tending to the heaine wrak aſweill of the Nobilitie as remanent ſubiectis of this Re-alme in caſe the ſamin war reſſauit as ane practick, The ſaid Schir Dauid menit him to our Souerane Lord and Lordis of ſecreit Counſall, And then the Lordis of Selſioũ war diſchar-git of proceding thairin, and the ſamin ordanit to be diſcuſſit be-foir our ſaid Souerane Lord and Eſtaitis of Parliament, like as the ſamin was continewit in the laſt Parliament haldin at Striuiling vnto this preſent Parliament. Deſiring thairfoir the kingis Maieſtie and Eſtaitis to reſſaue the ſaid mater and diſcuſſing thairof befoir thame, and put the ſamin to voir for de-

risionn thairof, that it may remane as ane Law to the haill subiectis in time cumming. Quhilk supplicatioun being sene & considderit, COVR Souerane Lord with auise of the thre Estaitis of this present Parliament, hes declairit and declairis that in all time cumming na tennour of letteris of horning executiounis and Indorsatioūis thairof, not extant and producit Initiallie, Salbe admittit to be prouin be witnessis, in quhatsumeuer actioun or caus persewit or to be persewit be the liegis of this Realme befoir quhatsumeuer Judge or Judges within the samin. And that but preiudice of the foirsaid actionn dependand betuix the saidis parteis befoir the Lordis of Counsall and decisioun thairof, in stait as it was left befoir the dischargeing of thame of farther proceiding thairintill. Prouiding that the witnessis to be vseit and producit aganis the said Dauid Hume in the said caus be examinat in presence of the haill Lordis of Sessioun.

## Anent Scottismen vsing the priuilege of this Natioun in the law countreis vnder the King of Spaynis dominioun. CAP. XXXII.

FORSAMEKILL As thair is diuers and sindrie Scottismen marpit and vnmarpit within the partis of the law countreis vnder the king of Spanis dominioun keipand thair residence, quhair this Natioun keipis thair Stapill, and haning thair life, Industrie, and traid of the kingis Maiesteis subiectis as Factouris to thame, vsing and haunting the priuilegis grantit to the said Natioun within the saidis partis of the law countreis sa far as the samin may mak for them, thair commoditie and profite, And at vtheris times renunceing the samin and reclaming thairfra alledgeing to thair perterie, residence in ane forane countrie, & forsaking the obediēce to the kingis Maiestie his Lawis and Officiar. ITHAIRFOIR It is statute and ordanit that ane Incorporatioun be maid of the said Natioun and priuileges thairof, Speciallie ordanning that quhatsumeuer persoun resident or remaning within the partis foirsaidis (speciallie quhair the said Natioun keipis Stapill) Intending to vse Factorie or ony vther traid with the said Natioun, and willing to Inioy the frute and commoditie of the saidis priuileges in haill or in pairt. Sall giue this aith of obedience to the kingis Maiestie and his Lawis, befoir his hienes Conseruatour resident in the saidis law countreis, and sall pay for his entres to the kingis

Maiesteis vse ten pundis Flemis. As alswa salbe reddie to vnderly all sic chargeis and commandementis as sall happin to be direct and cum fra his hienes, In the same forme and maner as thay war dwelland in Scotland. And quha refusis to giue the said aith and pay the said entres, That thay salbe callit be the said Conseruatour, and vpon thair refuse or delay depriuit, to haue or Iniop thairefter ony benefite of his Maiesteis subiectis. And that nane of his hienes subiectis haue traid, traffique, or vse of Factorie with ony the personnis sa depriuit thairefter vnder the same pane.

¶For auoyding of the greit number of vnfremen sailland in the law Countreis. CAP. XXXIII.

FOR Auoiding of the greit multitude of saillaris to the partis of Flanderis to the dishonour of the countrie, thair awin hurt, and tinsall and greit hinderance to the Burrowis, and for restraning of vnfremen that hantis and frequentis the saidis partis in Merchandice in time cumming. ¶IT IS statute and ordanit be our Souerane Lord with aduise of his thre Estaitis in this present Parliament, That na vnfremen hant or vse the traffique of Merchandice in time cumming speciallie in the law countreis vnder the King of Spanis dominioun, vnder the pane of confiscatioun of all thair moyabill gudis doand in the contrair. And that the Conseruatour of the priuileges of this Natioun seirche and seik the contrauenaris, escheit thair saidis gudis, the twa pairt to our Souerane Lordis vse, and the thrid pairt to his awin vse for his laubouris, and that he mak compt, rekning, & payment of his Intromissioun to our Souerane Lord and his Thesaurar anis euerie zeir.

¶For Instructioun of the zouth in Musick. CAP. XXXIIII.

FOR Instructioun of the zouth in the Airt of Musick and singing, quhilk is like to fall in greit decay without tymous remeid be prouidit. ¶OVR Souerane Lord with auise of his thre Estaitis of this present Parliament, requestis the Prouestis, Bailleis, Counsall and commounteis of the maist speciall Burrowis of this Realme, and the Patrounis and Pro-

# The Actis of King

veſtis of the Colleges quhair ſang Scuillis ar foundit, To erect and ſet vp ane ſang Scule with ane Maiſter ſufficient and abill for Inſtructioun of the zouth in the ſaid ſcience of of Muſick. As thay will anſwer to his hienes vpon the perrell of thair Fundatiounis, And in perfourming of this his hienes requeiſt, will do vnto his Maieſtie acceptabill and gude pleſure.

Extract furth of the buikis of our Souerane Lordis Parliament at command of his hienes vvith auiſe of his preuie counſall, be me Alexander Hay Clerk of the Rollis, Regiſter, and Counſall, vnder my Signe and ſubſcriptioun manuall.

Alexander Hay

# THE TABILL OF THE

## ACTIS OF PARLIAMENT HALDIN AT STRI-VILING THE XXV. DAY OF IVLII, THE ZEIR OF God ane thousand fyue hundreth thre scoir and auchtene zeiris Imprentit.


THE Ratificatioun of the libertie of the trew Kirk of God and Religioun. Cap. j.

That the Gleibis of the Ministerris & Reidaris salbe fre of teindis. Ca. ij.

¶ Anent the visitatioun of the Hospitallis. Cap. iij.

¶ Ratificatioun of the Priuilege of Burrowis with additioun. Cap. iiij.

¶ Ratificatioun of the Act maid of befoir anent the alienatioũ of landis and dimissioun of Benefices be thame that ar, or sall happin to be cõuict of the Murtheris of our Souerane Lordis Father and twa Regentis. Cap. v.

¶ Anent dowbill Confirmatioun of Fewis of Kirk landis and landis haldin Immediatlie of our Souerane Lord. Cap. vj.

¶ Anent carying of Flesche furth of this Realme in schippis, vnder cullour of victualling. Cap. vij.

¶ Anent the changeing of the greit vacance of the Sessioun. Cap. viij.


Actis and materis past in the same Parliament being Temporall for schort space, or concerning particular parteis not Imprentit.


THE declaratioun of the King and Estaitis of the fredome of this Parliament.

¶ The Ratificatioun of the Acceptatioun of the Regiment be the Kingis Maieste in his awin persoun.

The nominatioun and electioun of the Kingis Maiesteis Counsall.

Anent the visitatioun of the Vniuersiteis and Colleges.

The discharge of Iames Erle of Mortoun Lord of Dalkeith of the administratioun of his Regiment, Castell of Edinburgh, Munitioun, Iowellis, and vtheris being thairin.

The Exoneratioun of the Regiment and discharge thairof to vmquhile Iohne Erle of Mar that last deceissit.

The declaratioun of our Souerane Lord and Estaitis anent the keiping of the Castell of Striuiling, & attendance vpon our Souerane Lordis maist Nobill persoun be Iohne now Erle of Mar.

Anent the alteratioun of the Fair of the Burgh of Irwing.

Ane Commissioun to certane Nobill men to treit with the Lordis of Sessioun vpon the Confirmatioun of Testamentis and placing of Commissaris.

# ¶ The Tabill of the Actis.

¶ Ane vther Commiſſioun to treate vpon the buikis of the Lawis.
Anent the policie of the Kirk.
The Ratificatioun of the gift maid to the Proueſt of Sanct Saluatouris College.
Ane letter of Penſioun grantit to the Countes of Mar, and aſſignatioũ thairof.
The Ratificatioun of the Infeftment maid to the Maiſter of Glencarne of the landis of Boighall and Mylntoun.
Ane Act maid anent the Cuinze.
Ane Act of the Taxatioun of ten thouſand markis to the beitting of the Brig of Tay.
The benefite of the Pacificatioun grantit to the Lord Hume, Iohne Craunſtoun of Morciſtoun, Iohne Maitland of Auchingaſhill, Alexander Hepburne of Quhitſum Knicht, Maiſter Thomas Hepburne of Auldhammiſtokkis, and Capitane Robert Lawder.
Ane Act concerning David Hume of Fiſchewik and the Laird of Lethingtoun, ſuperceidand ane actioun dependand betuix the ſaidis perſounis quhill the King and his Eſtatis in Parliament tak ordour thairanent.
Ane Act concerning the kyndlie Tennentis of the Biſchoprik of Dumblane.
Ane Act gevand Iudges vnſuſpect betuix the Erle of Huntlie and his freindis, and Lord and Maiſter of Forbes and thair freindis.
Ane Act betuix Robert Gray and Iohne Gilbert Burgeſſis of Edinburgh referrit to the Lordis viſitouris of the Lawis, and the Lordis of coũſall diſchargeit of proceding thairintill in the meane tyme.

# THE TABILL OF THE

## ACTIS OF PARLIAMENT HALDIN AT EDINBVRGH THE XX. DAY OF OCTOBER THE ZEIR OF God ane thouſand fyue hundreth thre ſcoir and nynetene zeiris Imprentit.


ANENT the trew and haly Kirk; and of thame that ar declairit not to be of the ſame. Cap. j.
¶ Anent the Iuriſdictioun of the Kirk. Cap. ij.
¶ Diſchargeing of Mercattis and laubouring on Sondayis, or playing & drinking in tyme of Sermon. Cap. iij.
¶ Anent the zouth, and vtheris bezond ſey ſuſpect to haue declynit fra the trew Religioun. Cap. iiij.
¶ That houſhaldaris haue Bybillis and Pſalme Buikis. Cap. v.


¶ For

# ¶The Tabill of the Actis.


¶For releif of the laubouraris of the ground troubillit for want of tymous teynding of thair Cornis. Cap. vj.

¶For puniſchement of ſtrang and Idill Beggaris, and releif of the pure and Impotent. Cap. vij.

¶For puniſchement of perſounis that contempnandly remanis Rebellis and at the horne. Cap. viij.

¶For remeid of the fraude and diſordour vſit be Officiaris of Armes in executioun of Criminall letteris. Cap. ix.

¶Tuitcheing the diſheriſing of the poſteritie of thame that ar conuict of the Murtheris of the King our Souerane Lordis derreſt Father and twa Regentis. Cap. x.

¶That the panis of Lawborrowis ſalbe deuydit betuix the King and the partie offendit vnto. Cap. xj.

¶Aganis ſic as troubillis thair Nichtbouris be Criminall perſute ſaikles. Cap. xij.

Anent the cheiſſing of Inqueiſtis in cauſis of Perambulatioũ. Cap. xiij.

¶Anent the Inſerting of Witneſſis in Obligatiounis, and writtis of Importance. Cap. xiiij.

¶Anent Preſcriptioun in cauſis of Spuilze and Eiectiounis. Cap. xv.

¶Anent Preſcriptioun in cauſis of Remouing. Cap. xvj.

Anent Preſcriptioun in certane cauſis of debt. Cap. xvij.

¶Anent the diſtroyaris of planting, haning, and policie. Cap. xviij.

Ratificatioun of the Priuilege of Burrowis. Cap. xix.

¶Anent packing, peilling, foirſtalling, and tranſporting of Hering and quhyte Fiſche. Cap. xx.

¶For executioun of the Act of Parliament anent beiring, weiring, and ſchuitting of Culueringis and Daggis within Burrowis. Cap. xxj.

¶For puniſchement of Regratouris and Foirſtallaris. Cap. xxij.

¶Anent the diſtructioun of Cruuis and Zairis, and ſlauchter of red Fiſche and Smoltis be Wandis or vtherwiſe. Cap. xxiij.

¶Anent the tranſporting of Coillis furth of the Realme. Cap. xxiiij.

For puniſchement of thame that tynis the Pley within Burgh. Ca. xxv.

¶Ane Act in fauour of the Fewaris and Takiſmen of the landis and teindis belangand to the poſſeſſouris of the Prelaceis Forfaltit. Ca xxvj.

¶Approbatioun of the Act maid anent proceding in the Kingis Maieſteis Name. Cap. xxvij.

¶Ane Act in fauour of our Souerane Lordis trew and faithful ſubiectis quhilkis hes conſtantly remanit at his hienes obedience. Ca. xxviij.

¶Anent the admiſſioun of preuie wrytingis, charges, and commandis be the Lordis of Seſſioun. Cap. xxix.

¶Anent the admiſſioun of the ordinar Lordis of the Seſſioun, and reformatioun of certane abuſis thairin. Cap. xxx.

¶Declaratioun anent the preuing of letteris and executioun of horning

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be Witneſſis. Cap. xxxj.
¶Anent Scottiſmen vſing the Priuileges of this Natioun in the law Countreis vnder the King of Spanis dominioun. Cap. xxxij.
¶For auoyding of the greit number of vnfremen ſailland in the law Countreis. Cap. xxxiij.
¶For Inſtructioun of the zouth in Muſick. Cap. xxxiiij.

¶Actis and materis paſt in the ſame Parliament being Temporall for ſchort ſpace, or concerning particular parteis not Imprentit.

FOriſſactura Ioannis Hammiltoun Commendatarij de Abirbrothok, Claudij Hammiltoun Commendatarij de Paiſlay & aliorum. &c.
Act in fauour of Iane Diſchingtoun, ane of the Airis of Ardros.
Act in fauour of Dame Margaret Lyoun Countes of Caſſillis.
Act in fauour of Margaret Cunynghame Relict of vmquhile Iames Cochren of Balbauchlaw.
Ratificatioun of the diſcharge grantit to the Erle of Mar.
Approbatioun of the procedingis of the Nobill men that execute the Kingis Commiſſioun at Hammiltonn and Draffen.
Anent the demoliſcheing of Hammiltoun and Draffen.
Anent the eſtabliſcheing of the Kingis Maieſteis Counſall.
Anent the diſpoſitioũ of the landis and leuingis of the forfaltit perſoũis.
Act in fauour of Robert Lord Boyd.
Ratificatioũ of our Souerane Lordis Reuocatioun of feis aud penſioũis.
Act betuix Schir Dauid Hume and the Laird of Lethingtoun.
Reuocatioun of the Infeftment of the Erledome of Lennox to Lord Charles.
Confirmatioun of the Infeftment maid to Robert Erle of Lennox.
Ratificatioun of the Reformatioun of the Vniuerſitie of Sanctandrois.
Confirmatioun of the Infeftment of the toun of Faithly.
Confirmatioun of the Infeftment of the Heauin of Kilrynnie to Iohne Betoun of Balfour.
Commiſſioun to decyde the ancietie and prioritie in dignitie amangis the Burrowis.
Act in fauour of the Hoſpitall of Edinburgh.
Declaratioun vpon the ſupplicatiounis preſentit be the Erles of Mortoun, Mar, and Countes of Atholl.
Commiſſioun for taking ordour in certane Artickis be the Lordis of preuie Counſall.
¶Act tuitching proceding in the cauſis betuix the Gordounis and Forbeſſis.

Act for

# ¶The tabill of the Actis.

Act for remitting of the mater betuix Iohne Gilbert and Robert Gray Burgeſſis of Edinburgh to the Lordis of Seſſioun.
Act betuix the Erle of Montrois and the Tennentis of the Biſchoprik of Dumblane.
Act betuix Patrik Fortoun and Iames Huntar.
Anent our Souerane Lordis Cuinze.
Anent the making of Aquauitie.

¶The benefite of the Pacificatioun grantit to the Erle of Rothes, the Lord Fleming, the Lord Setoun, the Lordis Maxwell, Hereis, Somerwell and vtheris, The Laird of Pettadro, the Laird of Wilmerſtoun, the Laird of Fortoun, and Patrik Hepburne of Kirklandhill, the Airis of Quhytelaw, the Laird of Drylaw, Robert, Dauid, and Andro Mailuillis, Williame Henderſoun, Peter Martyne, and Iohne Richartſoun.

Finis Tabulæ.

Finis Tabule.

# Ane Proclamatioun for publiſcheing of the Actis of Parliament.

IAMES Be the grace of GOD King of Scottis; To our Lo. of and his deputis, and to our Louittis Meſſingeris our Schireffis in that pairt conjunctlie and ſeverallis ſpecialie cõſtitute greting, Forſamekill as anent the ſupplicatioun preſentit to vs and Lordis of our ſecreit Counſall be our weilbelouit Clerkis and Counſallouris Maiſteris David Borthwik of Lochhill, and Robert Chreichtoun of Eliok our Aduocatis, makand mentioun, That quhair ſen we acceptit the gouernament of our Realme in our awin perſoun, thair hes bene ſindrie louabill Lawis and Actis maid be vs with aulſe of our Eſtatis in Parliament tending to the aduancement of GODDIS glorie and his trew Religioun, our dew obedience and cõmoun weill of our haill Realme. And trew it is that our Progenitouris wer alwayis cairfull efter the making of thair Actis to cauſs the ſamin be Regiſtrat and oppinlie publeiſt and proclamit throughout all this Realme in the cheif plares of the Schirres and Burrowis thairof. And ſpecialie King James the Fift our derreſt Gudſchir of worthie memorie, Ordanit that the Actis of Parliament maid be him, ſo be publeiſt throughout all the Realme. And that all Schiriffis, Stewartis, Bailleis, Prouoſtis and Bailleis of Burrowis, and vtheris the liegis micht haue the copyis of his Actis and pretend na Ignorance throw miſknawing of the ſame; Ordanit his Clerk of Regiſter to mak ane autentick copie of his ſaidis Actis ſa far as concernit the cõmoun weill, vnder his ſubſcriptioun manuall, To be Imprentit be quhat Prentar it pleiſit the Clerk of Regiſter to cheis, And that it ſuld not be leſum to ony vther Imprentar to Imprent the ſame within this Realme or without the ſamin, or bring thame hame to be ſauld for certane ſpace limitat, As in the Actis thairupon at mair lenth is contenit. And ſeing it is na les neidfull that our awin Actis and namelie the Act maid for puniſchement of perſounis that contempnandlie remanis Rebellis and at our horne, and Regiſtratioun of horningis in the Schireffis bukis, quhilkis tuitchis vs & our haill ſubiectis ſa heichlie, be erneſtlie publiſchit at all the merrat croces of the heid Burrowis of our Realme, according to the louabill cuſtome of our Progenitouris vſit in time bygane, that nane of our

ſubiectis pretend Ignorãce thairof, WE haue cõmandit the Clerk of our Regiſter to mak ane auttentick copie of al the Actis of our Parliamentis maid be vs ſen the acceptatioun of the gouernamẽt of our Realme in our awin perſoun, ſa far as concernis the commoun weill, and neceſſarlie belangis to the knawledge of all our ſubiectis vnder his ſubſcriptioun, and to cauſs Imprent the ſamin be quhat Prentar it pleiſſis him to cheis, hauand our ſpeciall licence thairto, with ane Tabill or Catholog of ſa monie ma Actis and materis paſt in our ſaidis Parliamentis, as ar temporall for ſchort ſpace, or cõcernis particular parteis, for the better and mair ſpedie finding thairof be all that ſall happin to haue ado thairwith, As alwa hes commandit our Theſaurar to cauſs publiſche and proclame the ſame, As ane act and ordinance of our ſecreit Counſall maid thairupon at mair length proportis. QVHAIRWILLIS heirfor and we charge zow ſtrailie and commandis that Incontinent thir our letteris ſene ze pas and in our Name & Authoritie publiſche and proclame our ſaidis Actis of Parliamẽt, and ſpeciallie the ſaid Act maid anent the pmiſchement of our Rebellis, and Regiſtratioun of hornigis, oure all our Realme at the mercat croces of the heid Burrowis of all our Schirefdomes thairof, that nane pretend Ignorance throw miſknawing of the ſame. And that ze command and charge all and ſindrie our ſubiectis dwelland within the boũdis of euerie Schirefdome, To cauſs Regiſtrat thair letteris of horning in the Schirefkis bukis thairof, within the ſpace appointit be our Act of Parliament efter the publicatioun of our ſaid Act at the mercat Croce of our heid Burgh of the ſame Schirefdome. And that ze deliuer thir our letteris dewlie execute and Indorſat to the Lordis of our Counſall and Seſſioun for thair better ſatisfactioun in caſe ony wald pretend Ignorance efter the ſaid ſufficient publicatioun and Proclamatioun of our ſaidis Actis of Parliament maid be zow as ſaid is, conforme to the louabill Lawis and cuſtome obſerwit be our maiſt Nobill Progenitouris and according to Juſtice: As ze will anſwer to vs thairupon. The quhilk to do we commit to zow commmctie and ſeuerallie our full power. Be thir our letteris, Geuin vnder our Signet At Halyrudhous the xxiij. day of Januar, and of our Regne the threttene zeir.

1579.

Per Actum ſecreti Conſilii.




I O R

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Cum Priuilegio Regali.

# DE IMPERFECTIONE SANCTORVM IN HAC VITA THESES THEOLOGICÆ.

De quibus DEO benigne annuente, Christiana & publica instituetur συμβίβασις, in vetusta ACADEMIA ABERDONENSI, 31. Iulii, Anno 1627.

PRO S.S. THEOLOGIÆ DOCTORATU.

PRÆSIDE IOANNE FORBESIO, S. THEOL. Doct. & publico in eadem Professore.

Respondentis partes tuente M. ALEXANDRO SCROGÆO, Verbi DEI Ministro, in Cathedrali ECCLESIA ABERDONENSI.

Aug. de Sp. & Lit. cap. 35.

*Sine exemplo est in hominibus perfecta Justitia.*



ABERDONIÆ,
EXCUDEBAT EDVARDUS RABANUS.
Cum Privilegio. Anno 1627.